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ANNALS
OF
PENNSYLVANIA,

FROM THE
DISCOVERY OF THE DELAWARE.

BY
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1609—1682.

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PREFACE.

THE appearance of the present volume has been delayed much longer than was anticipated when the prospectus was issued. Judging from the incidental allusions, in the works already published, to events prior to the arrival of William Penn, the author was impressed with the belief that few materials existed in relation to the early settlements on the River Delaware, and felt a desire that, if others did exist, they should be discovered, in order to render more complete our history from the period of the first European attempts at settlement and civilization. It was astonishing to find how little was known of these attempts, even by many persons well acquainted with our subsequent history; while, by a large portion of our citizens, the fact of settlements having been made many years previously to the appearance of Penn, will be, perhaps, at this day, learned with surprise. With a strong desire to supply the defect, the author was induced to undertake the task of exploring this comparatively untrodden field. Happily, through the liberality and care of the Legislature of New York, (whose early history was intimately blended with our own,) the means of gratifying this desire were placed within his reach. Many of the original Dutch documents have been preserved, and, at the expense of that body, translated by a gentleman from Holland, fully competent to the task in all respects, except in a perfect knowledge of our language. The result of his labour is nearly thirty volumes, bound, and furnished with an ample index: these, with many other records in the Secretary's office at Albany, were, during a protracted visit there, diligently examined, and extracts made from them of such portions as suited the purpose; generally in the language of the record. In them will be found an almost unbroken series of events, from the first connection of the settlements of the Dutch on the Delaware with those on the Hudson, illustrating at the same time the history of both. Further additions having been made, under the patronage of the same legislature, through the researches of Mr. Brodhead, their agent in Europe, which have been referred to on page 42,—to these, also, the author had free access: a portion of them, however, being from Holland, and in the Dutch language, was, on that account, not available, with the exception of some extracts which he caused to be translated. They are understood to contain important matter connected with our history, and it is believed that Mr. O'Callaghan (whose late excellent work on New Nether-

lands has frequently supplied our deficiency) is engaged in the translation of them. It is therefore hoped, that, in a few years, they may add much to our present stock of knowledge. From the English documents, obtained also by Mr. Brodhead, has been ascertained, as the author thinks, with some degree of accuracy, the period of the arrival of the Swedes upon the Delaware, a question hitherto involved in doubt and uncertainty. For the remaining portion of the Swedish history, the documents furnished to the American Philosophical Society by our former Minister to Sweden, Mr. Russell, and which were published some years since in the Register of Pennsylvania, have been chiefly relied upon. No doubt many valuable records remain among the archives of Sweden, which ought to be obtained, for the purpose of rendering the history of her people on our shores more complete.

Another desirable object of research connected with this early period, was the arrival and settlement of the English on our river, respecting which but little was known. As the first attempts were made by New Haven and other parts of New England, the author, (notwithstanding the records of the United Colonies had been generally examined by his father, and published in his Historical Collections,) supposing that some facts could be found which had not attracted his attention, carefully examined the records in New Haven, Hartford, Boston, and Plymouth, as well in the public offices as in possession of Historical Societies there, and in New York; which research, though not very fruitful, furnished some documents, which appear in their proper places in this work. Besides these, the records at New Castle and Dover have been put under requisition for information respecting the English, after the disappearance of the Dutch and Swedes. Much valuable matter was thence obtained, especially at the former place, respecting the courts, (which then, under the governors at New York, managed affairs of both church and state,) early grants of land, the landing, and taking possession by Penn, &c. The records in our own public offices have not furnished much information relative to this period, though they no doubt will be of value for the subsequent portion of the work.

From these, and all other promising sources, the author has endeavoured, with much labour, time, and expense, to obtain the most authentic information of this early period, in which but little assistance could be derived from books or individuals. Only they who have been in the practice of examining ancient records, can appreciate the difficulty frequently attending it, in deciphering the names of persons and places, &c. This is mentioned to account, in part, for the variety used in printing names, it being often impossible to ascertain the correct mode of spelling, as well as the person or place intended. In general, the mode adopted by the writers has been employed. Many places cannot, at the present time, be identified by the name.

With regard to dates, it has also been sometimes found difficult to ascertain whether they belong to the old or new style, as the documents do not always occur in such juxtaposition as, in the absence of other marks, would indicate it. The Dutch having adopted the new style prior to 1600, their dates are so considered in this volume. The Swedes did not make the change till 1753, but the materials being few, and having nothing to mark the period to which they belong, the dates found in them are given, which we suppose to be old style. The English adopted the present mode in 1752, one year before the Swedes, and their dates are, of course, old style. The dates in the *margin* are designed to be *new* style; when they occur in the *text*, *old* style, which it has been thought best sometimes to preserve, as some documents have been so long recognised by their dates as to be familiar to the memory. Dates in old style, by the addition of ten days, are converted into new style for the margin; by which means, if any apparent discrepancy between dates and events occur, they may be tested. Although great pains has been taken to render them correct, it is possible some errors may be noticed.

Throughout this work, therefore, the main object has been, by the introduction of facts, documents, and even personal correspondence, of every variety of form and importance, to trace the settlements on the river from their commencement, and by them to show the character and circumstances of the different nations who, for seventy years, had possession before the arrival of Penn; and the state of the country when he first appeared. We, at this day, can hardly estimate the peculiar difficulties and dangers to which the handful of Dutch who originally seated themselves at Fort Nassau were exposed, in the midst of forests, and among savages, who then, for the first time, beheld the white man; and, considering the natural ferocity and barbarity of the natives, we cannot but wonder that that feeble company was not immediately destroyed, and every subsequent attempt at settlement rendered abortive. With, however, the exceptions recorded, we find but few instances of great cruelty exercised towards them. In a few years, another nation (the Swedes) approaches; conflicts and jealousies ensue between the two races of white men, while the savages, as they gradually mingle with them, become still more peaceable and friendly, unless when stimulated to espouse the cause of one or the other of the rival parties. After dwelling together in this manner for some years, making but little progress, one nation drives the other from these shores, and for a while maintains the sole command of the river. A third power then appears, and both of the former nations vanish. Being a people homogeneous in their character and views, order is established, as well as courts and churches; lands are taken up and settled on all sides; towns are erected; the ferocity of the savages becomes more subdued, and the prospect brightens for the future. Still was wanting a man who, by his

prudence, wisdom, and enlarged views, should command the confidence and respect of the people and the natives; who would improve the present favourable condition of the country, though comparatively still a wilderness, and lay the foundation of a great and happy province. For this purpose, Providence appears to have made provision, by opening the way, and selecting the person best fitted, under all the circumstances, for the occasion—our illustrious founder, WILLIAM PENN; whose course, from the time of receiving the charter to his taking possession of the country, and establishing the government, has been traced in this volume, by collecting and introducing all his public acts connected with that period. A desire to do this, and thus finish the first part of the plan, has increased the size of the volume beyond the stipulated limits. The present volume may be considered either as complete in itself, for the period embraced in it, or as preliminary to what may succeed it. As will be seen, it includes a large portion of the early history of New York, New Jersey, Delaware, and Maryland.

The form of annals, which has been adopted in this work, has been preferred, as best suited to the introduction of isolated facts, but especially because, by a regular chronological series of events, their connection with each other is more apparent. It is from facts that history derives its importance, not from a selection of a few striking incidents, embellished by fascinating language, and perhaps distorted by the views of the author. The habits, manners, and customs of a people are best ascertained by their prevailing practices and sentiments, as derived from their own records and correspondence. Under this impression the author has, in a great measure, confined himself to them, believing his readers as competent as himself to form a just estimate of the people, and draw the proper inference from the events. For the purpose of facilitating investigation, marginal notes have been introduced; the names of the kings and governors during whose administration the events occurred, as well as the year, have been printed at the head of the page, and a reference to the authorities at the bottom of it. The documents are placed in connection with the events. To the whole, a copious Index is added, of which necessary appendage, it is to be regretted, the previous histories of this state, as well as of many others, are entirely deficient.

The volume is commended to the candid attention of the reader, with the hope it may afford information and amusement.

Authorities referred to in this Volume.

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Records in the Office of the Secretary of State at Boston.
Trumbull MSS., at New Haven, and in possession of Massachusetts Historical Society, Boston.
New Castle Records.
Records at Dover, Delaware.
Records of Chester, at West Chester; and also Records of Upland Court, in possession of the Logan Family.
Records at Harrisburg.
Records at Philadelphia.
Records of Bucks County, at Doylestown.
Records of Swedes' Church, Philadelphia.
Miller, and other MSS., in New York Historical Society.
MSS. in possession of American Philosophical Society, Philadelphia.
MSS. of Du Simitiere, in Philadelphia Library.
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Pemberton MSS., in possession of the family.

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(More particularly referred to where quoted in the work.)

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Stith's and Beverly's Histories of Virginia.
Smith's History of New York.
Collections of Historical Society of New York, (for Acrelius, and other early writers.)
O'Callaghan's History of New Netherlands.
Collections of Historical Society of Massachusetts.
Belknap's American Biography.
Clarkson's Life of Penn.

- Brodhead's Address to New York Historical Society.
Purchas's Pilgrims.
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Loccenius's History of Sweden, (quoted.)
Trumbull's History of Connecticut.
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Chalmers's Political Annals.
Smith's New Jersey.
Mickle's Reminiscences of Gloucester.
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Histories of Maryland, by Bozman, McMahon, and McSherry.
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Watson's Annals.
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Johnson's History of Salem.
S. Hazard's Register of Pennsylvania.
Breviat of Evidence in case of Penn and Lord Baltimore.
Delaware Register.
Foote's Anniversary Address to Drawyers' Congregation.
Kingsley's Anniversary Address at New Haven.
King's Address to New Jersey Historical Society.
Clay's Annals of the Swedes.
Ferris's Early Settlements on Delaware.
Hawks's History of Episcopal Church.

ANNALS

OF

PENNSYLVANIA.

1609.

WITHOUT noticing the labours and discoveries of the numerous navigators, (from the time of Columbus,) of the American continent generally, it is our intention to confine ourselves to those whose more immediate claim is asserted to the discovery of the Bay and River Delaware.

In an official report drawn up by a Dutch Chamber, from documents and papers placed in their hands, December 15, 1644, it is said that "New Netherland, situate in America, between English Virginia and New England, extending from the *South* (Delaware) River, lying in latitude $38\frac{1}{2}^{\circ}$, to Cape Malabar, in latitude $41\frac{1}{2}^{\circ}$, was first frequented by the inhabitants of this country in the year 1598, and especially by those of the Greenland Company, but without making any fixed settlements, only as a shelter in the winter; for which purpose they erected there two little forts on the *South* and North Rivers, against the incursions of the Indians."¹

Claimants of
the discovery
of the De-
laware.

Sir Walter Raleigh and Lord Delaware have also been mentioned as discoverers of the Delaware. With regard to the former, it is by no means certain that he ever was in this country at all. It is true, he obtained a patent for Virginia, and was engaged in fitting out an expedition; but Stith, the historian of Virginia, asserts that he "did not come himself, as hath been generally, though erroneously, thought."²

Sir Walter
Raleigh.

It is said that Lord Delaware "touched at Delaware Bay on his passage to Virginia, in 1610;" from this circumstance

Lord
Delaware.

¹ See this report at length in O'Callaghan's History of New Netherlands, vol. i. p. 418.

² Stith's History of Virginia, p. 8.

1609. the bay *probably* received his name, and may have given to him the credit of its discovery, as it was so called in a letter from Captain Argall, written from Virginia in 1612."¹ But if this be the fact, it did not take place till one year after the well-known visit of Henry Hudson in 1609, to whom historians, almost universally, now concede the most rightful claim to the honour of the discovery.

Henry
Hudson.

Aug. 28.

Henry Hudson was, by birth, an Englishman, but had been for some time previously to, and at the time of the discovery, employed in the service of the Dutch East India Company. The subject of a north-west passage to China at this time occupying much attention, he was engaged by that company as captain and supercargo of the ship or "yagt Halve-Maan,"² or Half-Moon, of 40 lasts or 80 tons burthen." She left the Texel, April 9, 1609,³ but did not reach the Delaware till 28th of August following; and though it does not appear that he was on shore, yet he examined its soundings and currents, and the appearance of the land.⁴ Both the English and the Dutch laid claim to the honour of the discovery, and the right to the land; the former, from the circumstance of his birth; the latter, from the fact of his being actually in their service at the time, and under their flag.

The journal of Hudson, as well as that of Robert Juet, his mate, have both been preserved in "Purchas's Pilgrims;"⁵ the former is republished in the first volume of the Transactions of the New York Historical Society, and the latter in vol. i. N. S., of the same, page 320. Of Hudson's, De Laet, in his "New World,"⁶ has furnished the following summary:

Hudson's
Journal of
voyage.

"The Directors of the authorized East India Company, in the year 1609, despatched the 'yacht Half-Moon,' under the command of Henry Hudson, captain and supercargo, to seek a passage to China by the N. E. But he changed his course, (owing to ice,) and stood over towards New France, and having passed the banks of Newfoundland, in lat. 43° 23', he made the land in lat. 44° 15', with a W. N. W. and N. W. course, and went on shore, at a place where there were many

¹ N. Y. Historical Collections, N. S., vol. i. p. 320.

² Brodhead's Address to N. Y. Hist. Soc., p. 14.

³ Ibid. The date heretofore given for her sailing is 6th of April. The present date was obtained by Mr. B. from a document still in existence.

⁴ Belknap's Am. Biog. vol. ii. p. 397.

⁵ Purchas's Pilgrims, vol. iii. pp. 510, 567, London ed. 1625.

⁶ See N. Y. Hist. Coll. N. S., vol. i. pp. 85, 290.

of the natives, with whom, as he understood, the French came every year to trade.¹ Sailing hence, his course was to the S., until running S. S. W. and S. W. by S., he again made land in $41^{\circ} 43'$, which he supposed to be an island, and gave to it the name of New Holland; but afterwards discovered that it was Cape Cod. Pursuing his course to the S., he again saw land, in lat. $37^{\circ} 15'$. The coast was low, running N. and S., and opposite to it lay a bank or shoal, within which was a depth of 8, 9, 10, 11, 7, and $6\frac{1}{2}$ fathoms, with a sandy bottom. This he called Dry Cape, (supposed to be Chesapeake Bay and Cape Charles.) Changing his course to the northward, he again discovered land, in lat. $38^{\circ} 9'$, where there was a white sandy shore, and within appeared a thick grove of trees, full of green foliage. The direction of the coast was N. N. E. and S. S. W. for about 24 miles; then N. and S. for 21 miles, and afterwards S. E. and N. W. for 15 miles. They continued to run along this coast to the N. until they reached a point from which the land stretches to W. and N. W., where several rivers discharge into an open bay. Land was seen to the E. and N. E., which Hudson at first took to be an island, but it proved to be the main land, and the second point of the bay, in lat. $38^{\circ} 54'$. (This was, without doubt, Cape May, now laid down in lat. $38^{\circ} 57'$, varying only $3'$ from the observations of Hudson; the remainder of the description applies well enough to Delaware Bay and River, now first discovered by the Dutch.) Standing in upon a course N. W. by E., they soon found themselves embayed, and encountering many breakers, stood out again to the S. S. E. Hudson suspected that a large river discharged into the bay, from the strength of the current that set out, and caused the accumulation of sands and shoals. They then continued along the coast towards Sandy Hook."²

1609.

Hudson's
Journal con-
tinued.

The following is the mate's account, or log-book, of that portion of the voyage:

"Friday, Aug. 28. Fair and hot weather; wind S. S. W. In the morning at 6 o'clock we weighed, and steered away N. 12 leagues till noon, and came to the point of the land; and being hard by the land, in 5 fathoms, on a sudden we came into 3 fathoms; then we bore up, and had but 10 feet

Robt. Just's
Journal of
the voyage.

¹ Supposed near the mouth of Penobscot, or a small French settlement, now Annapolis, N. S.

² N. Y. Hist. S. Coll. vol. i. N. S. p. 290. De Laet's description.

1609. water, and joined to the point. Then as soon as we were over, we had 5, 6, 7, 8, 9, 10, 12, and 13 fathoms. Then we found the land to trend away N. W. with a great bay and rivers. But the bay we found shoal, and in the offing we had 10 fathoms, and had sight of breaches and dry sands. Then we were forced to stand back again, so we stood back S. E. by S. 3 leagues, and at 7 o'clock we anchored in 8 fathoms water, and found a tide set N. W. and N. N. W., and it rises 1 fathom and flows S. S. E. And he that will thoroughly discover this great bay, must have a small pinnacle, that must draw but four or five foot water, to sound before him. At 5 in the morning we weighed, and steered away to the eastward on many courses, for the more northern land is full of shoals; we were among them, and once we struck and we went away, and steered away to the S. E., so that we had 2, 3, 4, 5, 6, and 7 fathoms, and so deeper and deeper."¹

Juet's
Journal con-
tinued.

Names of
Bay and
River.

The bay and river have been known by different names at different times, according to the nations who have occupied. Thus, for instance, the Indians called it Poutaxat, Mariskiton, and Makerish-kisken; Lenape Wihittuck; the Dutch, Zuydt, or South River, Nassau River, Prince Hendrick, or Charles's River; by the Swedes, New Swedeland Stream; by the English, Delaware; Heylin, in his *Cosmography*, calls it Arasapha. The bay has also been known as New Port May, Godyn's Bay.

Owing to the destruction of documents in Holland, there is no satisfactory information of events for several years after this period.

1614.

In consequence of numerous petitions, "by certain merchants interested in maritime discovery," presented to the High and Mighty States-General of Holland, a general edict was passed in favour of all persons who had, or should thereafter, discover "any new courses, havens, countries, or places, of the exclusive privilege of resorting to, and frequenting the same for *four* voyages." Persons contravening it were liable to the confiscation of their vessels, and a fine of 50,000 Netherland ducats, to the profit of the discoverer. The discoverer, in fourteen days after his return from the

March 27.

Special privi-
leges granted
to discover-
ers.

¹ N. Y. Hist. S. Coll. vol. i. p. 130; vol. i. N. S., p. 320. De Laet, pp. 302, 320. Proud, ii. 294.

voyage, was required to deliver to the States-General, “a pertinent report of his discoveries.” If one or more companies discover the same countries “within the same time,” then they unitedly were to enjoy the privilege of the four voyages, the time when they shall cease to be determined by the States, who were also to settle any differences arising.¹ 1614.

Five vessels were fitted out by merchants of Amsterdam, &c., under this edict, one of which, called the “Fortune,” belonging to Hoorn, was commanded by Captain Cornelis Jacobsen Mey; he, with Captain Adriaen Block, and Hendrick Cortiansen, of the Tiger, and another vessel also named Fortune, besides two others, proceeded on an exploring expedition to the mouth of the Manhattan River, where Block’s vessel was unfortunately destroyed by fire. In order to supply its place, he immediately commenced building a yacht of 38 feet keel, 44½ feet long, and 11½ feet wide. This was the first vessel constructed in this country by Europeans. She was called the “*Restless*,” of about 16 tons burden. All these vessels were employed in making discoveries at the eastward, except the Fortune, Captain Mey, who went south, and arrived at the Delaware Bay; from him the eastern cape was called Cape May, and the western, Cape Cornelis, while the principal cape was named Hindlopen;² some say after a town in Friesland, and others from Ilmer Hinlop. These explorations being completed, the vessels all returned to Holland, to make their report, except the “*Restless*,” which being placed under command of Captain Hendrickson, was left for the purpose of more minute examination of the coast. She proceeded to the Delaware for information regarding the country, as well as the native trade.³

Five vessels leave Holland for America. After arrival one is burnt, and another is built. Return of four to Holland. The “*Restless*” arrives in the Delaware.


Deputies of the United Company of Merchants who had discovered “New Netherland,” made a report of it to their High Mightinesses the States-General, and asked for a special edict in their favour, agreeably to the terms of the general ordinance of the 27th March. They stated, that at great expense and heavy damage to themselves, arising from the loss of vessels, during the last year, they had, with five ships owned by them, discovered and explored certain new lands

October 11. Report of discoveries, and request for confirmation of the privileges promised by edict of 27th March.

¹ Brodhead’s Address, p. 15. Holl. Doc. i. 15, 17, 19, translated at length in O’Callaghan, vol. i. p. 71.

² The cape now called Henlopen was then Cornelis.

³ O’Call. 75. De Laet. Brodhead, p. 19.

1614.  lying in America, between New France and Virginia, in the latitude of from 40 to 45 degrees, which they called "New Netherland." They also presented a map of the newly-discovered country; it is about three feet long, and is spoken of as a faithful delineation of the Hudson River, as far as Albany, made within five years after its discovery, and "perhaps by one of the companions of Hudson himself." A fac-simile of it is in the office of the secretary of state at Albany.¹

Privileges secured by special edict, October 11.

After hearing the report, and examining the map, their High Mightinesses ordained that the owners of the ships Fox, Captain De With; the Tiger and Fortune, Captains Adriaen Block and Hendrick Cortiansen; the ship Nightengale, Captain Volkertsen, and the ship Fortune, Captain Jacobsen Mey, now united into one company, be authorized and allowed "exclusively to navigate to the said newly-discovered lands lying in America, between New France and Virginia, the coast of which is situated in latitude from 40° to 45°, now called 'New Netherlands,' for four voyages, within the period of three years, commencing the 1st January, 1615, next ensuing, or sooner, without any other persons directly or indirectly, shall be at liberty, out of these United Netherlands, to sail to, navigate to, or frequent the said newly discovered lands, havens, or places, within the said period of three years, under pain of confiscation of ships and cargoes wherewith the same shall be attempted, contrary to this decree, and of a fine of 50,000 Netherland ducats, to the benefit of the aforesaid discoverers, &c." They do not intend to prejudice or curtail former grants, and reserve the right to decide in any cases of disagreement; it was dated at the Hague, October 11.²

1616.

Capt. Hendrickson departs for discovery of the Schuylkill, August 18.

Captain Hendrickson, in the "Restless," which had been left for the purpose of more particularly examining the coast, and especially the Delaware, having completed these objects, and ascended that river as high as the Schuylkill, which river it appears he discovered about this time, also took his departure for Holland; on his arrival, made a report of his discoveries, and demanded, under the edict of 27th March, 1614,

¹ Brodhead's Address, p. 16. Holl. Doc. p. 39.

² Ibid. p. 53. Holl. Doc. i. p. 47. O'Callaghan, i. p. 76.

the exclusive privilege therein promised. From some cause, not exactly known, his application proved unsuccessful. His report is among the Holland documents, and furnishes but little information. He speaks of "having discovered and explored certain lands, a bay, and three rivers, situated between 38° and 40°, in a small yacht of 16 tons burden, named the 'Onrust,' (Restless,) which had been built at Manhattan." He also furnished a very curious map, drawn on parchment, about 2 feet long and 18 inches wide, and "executed in the most elegant style of art;" showing, "very accurately," the coast from Nova Scotia to the Capes of Virginia, &c. A fac-simile of this map is also at Albany. This report was probably a verbal one, as the States, prior to deciding upon his application, required one in writing, which he next day presented; in it he states his discoveries, describes some of the productions of the country, and says that "he bought three of the native inhabitants from the Maquas and Mohicans, who held them in slavery, for whom he gave in exchange kettles, beads, and merchandise." It does not appear that the special privilege applied for was granted.¹

1616.

His report and maps; buys three natives; his petition for privileges not granted.

1618.

The privileges granted by the octroy, or edict of 1614, expired this year by its own limitation. An application for a renewal was partially granted, and for limited periods.²

January 1.
The company's charter expires.

Lord Delaware dies this year off the Western Isles, or as some say, off the Capes of Delaware; he was on a voyage from England to Virginia. There was some suspicion that he had been poisoned.³

Death of Lord Delaware.

From this period till 1620, various private adventures were undertaken, and frequent applications made, unsuccessfully, to the States-General, for exclusive privileges.

1620.

"The Directors of the Company trading to New Netherland," whose grant had expired in 1618, and by which event that trade became free to every person, represent to the States-General, that "there is residing at Leyden, an English preacher, well versed in the Dutch language, and who is in-

February 12.

¹ Brodhead's Address, p. 18. Holl. Doc. vol. i. p. 59. O'Call. vol. i. p. 78.

² O'Call. p. 81. Holl. Doc. vol. i. 82.

³ Beverly's Virginia, p. 32. Stith, p. 148. Belknap's Biog. vol. ii. p. 20.

1620.

Applications
for special
privileges to
Rev. Mr. Ro-
binson and
others.
Plymouth
colony.

clined to go there to live," and that 400 families would go with him, "from Holland as well as England," with suitable protection from the States-General; and also express their belief that the English were disposed to colonize those lands, and thus deprive the States of the benefits of their discoveries; they ask to be taken under their protection, and "that, provisionally, two ships of war may be sent to secure the lands to the government." After deliberating till April 11, the prayer of the memorialists was rejected. Within about three months, however, (July, 1620,) some of the associates of the Rev. Mr. Robinson, the English preacher alluded to, embarked at Delft Haven, in the *May-flower*, arrived after some time at Plymouth, and laid the foundation of that colony.¹ In August of the same year, petitions were presented by Captain Mey, Henry Elkins, and others, (the latter in opposition to the former.) Vain attempts to reconcile them having been employed, both grants were denied. These various movements, however, probably led to the establishment of the West India Company, in 1621.

1621.

June 3.

The celebrated West India Company was chartered, under whose power and government the first settlements on this river were made, and continued for many years. The following is a summary of the provisions of this charter.

Summary of
the charter
of the West
India Co.

The charter from the States-General of the United Netherlands to the West India Company, provides, "that for the term of 24 years, none of the natives or inhabitants of these countries shall be permitted to sail to or from the said lands, or to traffic, on the coast of *Africa*, from the tropic of Cancer to the Cape of Good Hope, nor in the countries of America, or the West Indies, beginning at the south end of Terra Nova, by the Straits of Magellan, La Maire, or any other straits and passages situated thereabouts, to the Straits of *Anian*, as well on the North Sea as the South Sea; nor on any islands situated on the one side or the other, or between both; nor in the western or southern countries reaching, lying, and between both the meridians, from the Cape of Good Hope, in the east, to the east end of New Guinea in the west, but in the name of this united company of these United

¹ Brodhead's Address, p. 22; and the Memorial at length, p. 54, translated from Holl. Doc. vol. i. p. 95.

Netherlands," under penalty of forfeiture of goods and ships found for sale on the above coasts and lands. The charter to operate from 1st July. The salt trade at Ponte del Re to continue under instructions already given. 1621.

"The company may, in the name and authority of the States, make contracts, engagements, and alliances with princes and natives of the countries" mentioned, and "also build forts, &c., there; appoint and discharge governors, people for war, officers of justice, and other public officers," &c.; "they must advance the peopling" of these countries, &c., and transmit a report of such contracts and alliances, and "the situation" of the fortresses, &c., taken by them. The States to approve of instructions to governors, &c., and grant the commissions, with various other regulations of their internal concerns, which may be seen at length in Hazard's Historical Collections, vol. i. pp. 121—131, 149, 181. Charter of West India Company continued.

Five branches, or chambers, were established in different sections, but the great centre was that at Amsterdam, which furnished at first eight, and afterwards nine, of a board of nineteen persons, who had the general superintendence and direction of the affairs of the company, from which it is usually styled the "Assembly of XIX." The States-General furnished one member of the board, and Zealand, Maeze, Friesland, the North Department, and Groeningen the remainder.

This charter was extended and amended somewhat, two years afterwards.

It appears that, although the Dutch West India Company had obtained the foregoing charter, it did not commence active operations under it for some time; licenses were, in the mean time, granted to several enterprising individuals, to send out two vessels to certain countries which had been discovered between 40° and 45°, called "New Netherland," and to the adjacent territories, together with a great river lying between 38° and 40°, "and to truck and trade with the natives." This great river, to which one of these vessels was to proceed, was no doubt the Delaware. These vessels were bound to return on or before the first of July following, with their cargoes, by which time it was supposed the West India Company would be ready to go into operation.¹ Of the arrival of this vessel in the Delaware, and of her success, we have seen no account. But it seems that information from several hands

Sept. 23.
Vessels despatched for New Netherland; one for the Delaware.

¹ Holl. Doc., quoted by O'Callaghan, vol. i. p. 94, 95.

1621. had reached the Virginia Company, that the French and Dutch carried on a very profitable trade with the Indians in Delaware and Hudson Rivers, "which were within their grant, and then esteemed parts of Virginia. The company, therefore, this year resolved to vindicate their right, and not to permit foreigners to run away with so lucrative a branch of their trade. One Captain Jones was accordingly sent upon the voyage, but, by the wickedness of him and his mariners, the adventure was lost, and the whole project overthrown," after having been supported by the Earl of Southampton and Sir Edwin Sandys, who each subscribed £200.¹

Virginia asserts her claim to the country and Indian trade. Unsuccessful expedition.

The attention of the English government, through the privy council, having been awakened, by the Virginia Company, to the progress making by the Dutch in New Netherland, they directed their ambassador, Sir Dudley Carleton, at the Hague, "to bring the subject of the Dutch plantations in North America, to the special notice of the States-General." This, as far as known, is the first assertion by the British government "of the unlawfulness of the Dutch colony." The council say, "Whereas, his majesty's subjects have, many years since,² taken possession of the whole precinct, and inhabited some parts of the north of Virginia, (by us called New England,) of all which countries, his majesty hath, in like manner, some years since, by patent, granted the quiet and full possession unto particular persons; nevertheless we understand, that the year past, the Hollanders have entered upon some part thereof, and have left a colony, and given new names to the several ports appertaining to that part of the country, and are now in readiness to send for their supply six or eight ships; whereof his majesty being advertised, we have received his royal command to signify his pleasure that you should represent these things to the States-General, in his majesty's name, (who, *jure primæ occupationis*, hath good

English ambassador at Hague to present claim, and remonstrate against Dutch.

Dec. 15, O. S.

¹ Stith's History of Virginia, p. 198.

² The first colony arrived in Virginia in 1586, but returned to England, and the second in 1587, in the reign of Queen Elizabeth. The first charter was granted by King James, in 1606, to two companies; a second in 1609; a third in 1611-12. The first company was to extend from 34° to 41°, and the second from 38° to 45°; thus conflicting, though they were not to settle within 100 miles of each other. Thus the whole country was known as Virginia. An examination of the charters at length, in Hazard's Hist. Coll. vol. i. pp. 38, 40, 50, 58, 72, will furnish all necessary information on the subject, and show wherein the charters differ from each other. See also Stith's, and Beverly's Histories of Virginia. Brodhead's Address, p. 24.

and sufficient title to those parts,) and require of them that, as well those ships, as their further prosecution of that plantation may be presently stayed." 1621.

1622.

Upon this, the ambassador engaged in ascertaining the facts of the case, "that about four or five years previously, two companies of Amsterdam merchants began a trade to America, between 40° and 45°, to which they gave the names of New Netherland, North and South Sea, &c., and have ever since continued to send vessels of 60 or 80 tons at most, to fetch furs, which is all their trade," and have factors there trading with the savages; "but he cannot learn that any colony is as yet planted there, or intended to be." He, however, had an interview with the States, and presented a memorial, dated February 9,¹ of the subject of which they pretended to be ignorant, but promised, on the 16th March, 1622, to write for information, "to the participants in the trade to New Netherlands." There is at present to be found no written evidence of the result, though a reply to it is incidentally referred to many years later.²

February 5.
Ambassador
engages in
the business.
Facts ascer-
tained by
him. Has an
interview.

February 9.
Presents a
memorial.
The result.

1623.

The West India Company having made arrangements to effect the objects of its charter of 1621, and as afterwards amplified, turned its attention, about this time, to planting a colony on the Delaware; and, with few exceptions, historians generally are agreed in fixing upon this year as the date of the first attempt made at a settlement on this river, by any European nation. A report of certain commissioners, in 1659, in making out a claim which they were then defending, indeed says, "that the river (Delaware) was, in the *primitive times*, possessed by the Dutch, and a colony planted on the western shore, within the mouth of the South Cape, called the Hoorekill to this day; the Dutch nation erecting there, and all over the country, their states arms, and a little fort; but after some time, they were all slain and murdered by the Indians, so that the possessions and propriety of this river, at the first, in its infancy, is sealed up with the blood of a great

First attempt
by Euro-
peans to set-
tle upon the
Delaware.

¹ See the Memorial in O'Call. vol. i. p. 97, from London Doc. vol. i. 22, 23.

² See Brodhead's Address to N. Y. Hist. Soc. p. 24, 25, 26. London Doc. vol. i. p. 17, 19, 20, and Holl. Doc. vol. i. p. 17.

1623. many souls. *After this*, in the year 1623, the fort Nassau was built, about 15 leagues up the river, on the eastern shore."¹ The circumstances here mentioned, so clearly point to another event, which occurred some years subsequently, as to produce a belief that the commissioners were, in order to strengthen their cause, induced to antedate the facts stated. It is mentioned, in the document before referred to, that Fort Nassau was built in 1624;² and in another, that the West India Company took possession, in the year 1626, of the River Delaware, and built, or *had* built, two strongholds or forts, the largest about 16 miles (Dutch) up the river, on the eastern shore, called Nassau.³ With these exceptions, so far as we know, all the early and later writers agree. There is also the positive testimony of an Indian sachem, "that a skipper, named Cornelis, with one eye, or having a film on the eye, was the first who coming there, (to New Netherlands,) established himself on the South River."⁴

The evidence upon which this rests.

We feel therefore warranted, from these facts, to assume, until better evidence be produced, that 1623 was the date of the first European settlement on the river.

It has already been related, that in 1614, Captain Cornelis Jacobsen Mey visited this river on an exploring expedition, from Manhattan, where he parted with his companions, they proceeding with a similar object in view, towards the north, and that they all afterwards returned to Holland. To what distance Mey then ascended the Delaware, is, we believe, unknown, but he was, probably, in consequence of that visit, now considered the most suitable person to conduct another expedition, which the company were then contemplating to send thither. An agreement having been entered into, on the 21st of June, between the managers and the adventurers of the West India Company, with the approbation of the States-General,⁵ and they having selected a ship called the "New Netherlands," Captain Mey and Adriaen Jorisz Tienpont were appointed directors of this expedition. All necessary preparations of colonists, provisions, and all other means for planting a colony being made, Captain Mey took his de-

Expedition of the Dutch West India Company to Delaware River, under Captain Mey, being his second visit. He builds Fort Nassau.

June 21.

¹ Report of Heermans and Waldron, in N. Y. Hist. Coll. vol. iii. p. 375.

² Report of XIX. O'Call. i. p. 418.

³ Holl. Doc. vol. viii. p. 59 to 65.

⁴ Holl. Doc. vol. viii. p. 73, translated by O'Call. vol. i. p. 100.

⁵ See this agreement at length, in Laet's Jaerl. Verh. Hazard's Hist. Coll. vol. i. p. 175; also in O'Call. vol. i. p. 410.

parture for the Delaware, then called Zuydt, South, or Prince Hendrick's River, which they reached in safety. Passing between Capes May and Cornelis, which, either now, or on the former visit, received his name, he ascended the river about 15 leagues from its mouth, where, on the eastern shore, he immediately commenced the erection of Fort Nassau, as well for security against the Indians, as for a trading post with them. It is said to have been built of logs, and "that a garrison was continually maintained there."

1623.

There is more difficulty, at this remote period, in determining the *locality* of this fort, than in settling the date of its erection, as no vestiges remain to indicate the precise spot, and tradition can afford but little aid in deciding the question. Most historians, however, agree that it was in the neighbourhood of the present Gloucester Point, and at the mouth of the most northerly branch of Timber Creek, then called Sassackon.¹ Various names have been assigned to it, or its vicinity, as Hermaomessing, Arme Wamix, Tekoke, Techachacho, Arwames, &c.² The old maps that we have consulted, place the fort between the two branches of Timber Creek; a map in a late work has it at the north of the creek.³ It is referred to in various documents and books: one says, "it was 15 leagues up the river;"⁴ "about five or six miles (Dutch) above Fort Christina;" "about 16 miles up the river, on the eastern shore;" "Beaver Rede on Schuylkill is said to be down the river from Fort Nassau."⁵ Another says, "it is about a mile south of a purchase he had made north of it," which is supposed to be a part of the present site of Philadelphia.⁶ From all these various statements, it is evident that there can be but a few miles difference between the true position of Fort Nassau, and that generally assigned to it; and here we are disposed to let it rest, until further investigations and facts are produced to alter it. The great changes in the river, by currents, embankments, &c., render almost hopeless any attempt to discover more accurately the exact locality; still it is desirable to do so, if practicable.

Various
opinions as
to the local-
ity of Fort
Nassau.

How long Captain Mey continued at Fort Nassau, why he

¹ Mickle's "Reminiscences of Gloucester," p. 3. Mulford's N. J. p. 49.

² Ibid. Campanius, Clay, Barker, Gordon, &c.

³ Ferris's Orig. Settlements, p. 310.

⁴ Report before referred to in N. Y. Hist. Soc. vol. iii. p. 375.

⁵ Holl. Doc. vol. viii. p. 32 to 51.

⁶ Hudde's Report, N. Y. Hist. Soc. vol. iii. N. S., p. 428.

1623.

Uncertain
how long
Mey conti-
nued there.

Various
statements of
the occupa-
tion and de-
struction of
Fort Nassau.

departed, what were his operations there, and whither he went, are to us unknown. The probability is, he for some time carried on a trade with the natives, for skins or furs, which appears to have been one great object of the colony. It is asserted, that when he left, he bore with him the affection and esteem of the natives. It is the opinion of some writers, that, for a season at least, after his departure, the garrison was removed, and the savages took possession, but that a trade in skins was occasionally carried on with the natives from Manhattan. In 1633, the fort was visited by De Vries, who says, that the Dutch families had left it, and that it was in the possession, then, of a few savages, who wanted to barter furs;¹ and yet we have an account, in the same year, that Arent Corsen was commissary,² with a clerk, and that, by direction of the directors, he made a purchase on the Schuylkill, for another fort. It is certain that the administration of Van Twiller commenced in this year, and the probability is, that learning the condition of Fort Nassau, one of his early acts was, to repair and restore it to a state of defence. We are informed by recorded documents,³ that he erected a large house, and made some repairs, for which he was afterwards called to account, under charge of extravagance in the expenditure of public funds. In 1635, an unsuccessful attempt was made by the English on this fort.⁴ When the Swedes arrived in 1638, it is said the Dutch had no forts on the river, they having all been destroyed by the Indians; and yet Hudde,⁵ who had commanded that fort, says, there was, in that year, a sufficient garrison on the river; and a public document exists which, in 1639,⁶ complains, that "Fort Nassau is a heavy burden to the company, as regards a garrison, provisions," &c. There was certainly a commissary there in 1638, who gave the governor on Manhattan immediate notice of the arrival of the Swedes, which occasioned a protest;⁷ and in 1642 it was occupied by about twenty men.⁸ From that time up to 1650, we have facts to show

¹ De Vries, in N. Y. Hist. Coll. vol. i. N. S. p. 252.

² Holl. Doc. vol. viii. p. 32 to 52. O'Call. vol. i. p. 142. Holl. Doc. vol. ii. p. 88. Albany Records, vol. ii. p. 328.

³ Albany Records, vol. i. p. 85, 86. Holl. Doc. vol. iii. p. 97.

⁴ De Vries, 259. O'Call. vol. i. p. 170.

⁵ Hudde's Report, N. Y. Hist. Soc. Coll. vol. iii. N. S., p. 429.

⁶ Holl. Doc. vol. iii. p. 32 to 52.

⁷ Ibid.

⁸ Reg. of Penns. vol. iv. p. 19.

that commissaries were stationed there. In 1650 or 1651, the fort was destroyed by the Dutch themselves, "being too high up, and too much out of the way." It was transferred to the new Fort Cassimir. 1623.

We have deemed it important, as a starting point in our Dutch history, to collect the various facts in relation to this fort, contradictory and unsatisfactory though they may be; and perhaps we have attached more consequence to them than they merit; but this fort was, for many years, considered by the Dutch a very desirable point to be maintained. Its history important, as its maintenance was so considered.

1624.

This year arrives at New Amsterdam, as director of New Netherland, Peter Minuit, or Minnewit, with whose history, in connection with the settlements on the Delaware, we shall become better acquainted. He continued in this office till 1632, when he returned to Holland.¹ Supposed arrival of Peter Minuit at New Amsterdam.

An application for a Swedish West India Company, upon the plan of the Dutch West India Company, whose establishment has been noticed, was this year presented to Gustavus Adolphus, king of Sweden, by William Usselinckx, a merchant of Antwerp, the original projector of the Dutch West India Company, and for several years connected with it, but who, for some reasons, became dissatisfied. Having derived much information from his long intimacy with the operations of the company, and being convinced of the advantageous prospects which such a company presented, he laid before Gustavus Adolphus his views upon the subject, in such a forcible manner, as warmly to engage the feelings of that monarch in its favour, and ultimately to lead to the incorporation of a company, which, however, did not take place till 1626. Acrelius, however, says, "that he this year obtained a commission for it, dated at Stockholm, December 21, 1624, upon which" a contract was formed for the approbation and signature of the company. The plan was recommended by the king to the States, and confirmed in the Diet of 1627.² Proposal for a Swedish West India Company submitted to the King of Sweden, by William Usselinckx.

¹ O'Call. vol. i. 100, 130. N. Y. Hist. Coll. vol. i. N. S., p. 450.

² Acrelius, p. 408. Bancroft, vol. ii. p. 284. Argonautica Gusta. Campanius, p. 64, 65. Loccenius, p. 556.

1626.

The charter for the Swedish West India Company, before alluded to, was this year obtained. Having never seen it in English, or in print, a full summary of it is furnished, as it was the basis of the Swedish operations on this river.

June 14.
Reasons for
forming the
Swedish
West India
Company.

Gustavus Adolphus, king of Sweden, "finding it serviceable and necessary to the welfare and improvement of our (his) kingdom and subjects, that trade, produce, and commerce should grow within our (his) kingdom and dominions, and be furthered by all proper means, and having received of credible and experienced persons good information, that in Africa, Asia, America, and Magellanica, or Terra Australis, very rich lands and islands do exist, certain of which are peopled by a well governed nation, certain others by heathen and wild men, and others still uninhabited; and others not as yet perfectly discovered, and that not only with such places a great trade may be driven, but that the hope strengthens of bringing said people easily, through the setting on foot commercial intercourse, to a better civil state, and to the truth of the Christian religion," concluded, "for the spread of the Holy Gospel, and the prosperity of our (his) subjects," to erect "a general company," or "united power of proprietors of his realm, and such others as shall associate themselves with them, and help forward the work; promising to strengthen it with his succour and assistance, providing for and founding it with the following privileges:"

Duration of
the compa-
ny. Extent
of its trade.

1. The exclusive right, for twelve years, to sail to and trade beyond the Straits of Gibraltar, southward, in the lands of Africa, as in America, and Magellanica, or Terra Australis, reckoning the coast of America at the like latitude as said straits, viz. 36°; also, with all lands and islands between Africa and America in same latitude. The vessels and goods of other than the company, who infringe those rights, to be confiscated. The government vessels of war, because not traders, to be exempted.

When to
commence.
No funds to
be with-
drawn. No
new mem-
bers.

The company to be considered as commencing May 1, 1627, to continue for twelve years, during which none of the company to have power to withdraw the funds embarked in it, and no new members to be, during that time, admitted. If at the end of twelve years, the company wish the term extended, it may be granted at the pleasure of the king.

Accounts are to be settled every year, at which every person interested 1000 scudis or thalers, may be present. Every six years, there shall be a final estimate of all accounts, and a new account begun. If then it appears to the majority of stockholders that the profits or usefulness of the company do not justify its continuance, it may be dissolved.

1626.

Accounts, when to be settled.

Residents or landholders in Sweden may become members until the 1st of March, and those beyond sea till 1st of May next, after which none can enter the company, either for small or large sums. The money to be paid in instalments, one-fourth on subscribing, and the remainder in three annual payments.

What persons to be members.

After the time for subscription shall expire, there shall be an election for regents or directors, in proportion to one for every 100,000 thalers subscribed. If, however, the subscriber of 100,000 wishes it represented by two directors, it may be so, but the two only to receive the salary of one.

Election of directors. Number and terms.

The directors to be chosen by a majority of votes of stockholders, none to vote unless owning 1000 thalers, and none to be a director who does not hold 2000 thalers, and which sum, while a manager, he cannot divest himself of.

Majority of votes to govern elections.

The directors first chosen to continue in office for six years; after this, two-thirds to be newly elected, and one-third to be taken from largest stockholders; this to be observed every two years till the expiration of the charter.

Rotation of directors.

All countries, cities, and individuals who bring in 100,000 thalers, shall be entitled to appoint a director, and for this, all nations who have signed the agreement, and transmitted the funds to some person in whom they confide, and each individual subscribing shall declare the nation to which he wishes to belong, and place his money. Foreigners who decide to reside in Sweden, and contribute 25,000 thalers, to enjoy the same privileges as citizens, and be free from every tribute, and as they carry on no trade, may depart at pleasure.

Directors in proportion to sums subscribed.

The directors to be all equal in power and authority, take oath of fidelity, administer justice without fear or affection, not deal in merchandise nor own vessels.

Equality of directors.

They are to have a salary of 1000 thalers per annum; in case of travelling for the company, besides their carriage they shall receive six Swedish marks per day. The secretary and other servants to be paid out of the funds of the com-

To have a salary; as also the secretary, &c.

1626. pany, the directors of each chamber to be responsible for them.

Chambers responsible for directors. If any damage result to the company from any of the directors it shall attach to the chamber to which he belongs, and be refunded out of the funds contributed by it to the company.

Not responsible for company debts. Neither the directors nor their goods shall be liable for the company debts.

Funds free from confiscation. All funds invested in the company shall be free from confiscation, even in the event of war of the King of Sweden with the nation of which the subscribers are a part.

Chambers, how constituted. Cities convenient for navigation, whose merchants contribute 30,000 thalers or scudi, shall constitute a chamber, or different cities or countries may unite their funds, and agree upon the location of the chamber convenient to the company.

Gottenberg, place of departure. The company's vessels about departing from the different ports, shall unite in a fleet at Gottenberg, and take their departure from thence, and at the end of the voyage return thither with their cargoes, which shall be unloaded and thence transported, wind and weather permitting without injury to the company.

Stocks at each to be alike. If one chamber has goods which another requires, they shall be furnished, so as to keep up a similar assortment in each.

Superintendents. There shall be one or more superintendents, who shall examine the accounts closely, and consult with the directors on important matters connected with the interests of the company; and in elections of superintendents, captains, &c. required, stockholders shall be preferred, if equally capable.

May be removed to other places. Superintendents may be removed from one chamber to another, and every chamber shall have a representative at Gottenberg, and be informed, within two months after the sailing of the vessels, of the matters connected with the voyages, and, every three months, furnished with an account of goods sold.

Diet or general meetings. When necessary, there shall be held a diet or meeting of all the chambers, to take place alternately, at different chambers, in the order of the largest subscriptions, the object being to discuss all the general interests of the company, voyages, freights, prices, &c.

Represented from each chamber. To each diet, twelve managers shall be sent from each chamber, and the government to be entitled to one vote,

making thirteen, or casting vote; every chamber having a vote in proportion to its furnished capital; a chamber furnishing half has six votes, one-third, four votes, &c.; majority to decide. 1626.

On all imports and exports to or from Sweden, a duty to be paid of four florins per cent., which payment entitles them to be transported freely thereafter through the whole kingdom. Duty to government.

The company to be under the royal protection, in the free exercise of its trade, the use of its vessels, and defence against all attempts to injure it in war or in peace. Under royal protection.

The government to furnish vessels of war, forts, soldiers, guns, &c., at its own expense. All vessels, &c., taken by the company from pirates, &c., shall be for the company's benefit, except where they are assisted by the government vessels, in which case the prizes to be divided equally. Government to furnish vessels. Share captures.

The government not to use the vessels of the company, nor their funds or merchandise, even in war, without its consent. Government not to use company's property.

The company shall be entirely at liberty, within the aforesaid limits, to make treaties with foreign chiefs or people, in their own name; to build cities, castles, fortresses; occupy desolate places, and make them habitable; operate and procure what they can, of use to, and for the convenience of the company; but not to commit violent hostilities against the inhabitants of the country, nor, unless so tempted, do any other thing against the subjects of the King of Spain, nor exercise commerce in places with their subjects, without their express license, under pain of penalties against transgressors of the king's orders, and disturbers of the public peace. Powers of the company.

In case of ill treatment in the use of its trade, or by force or fraud, the company is at full liberty to avenge itself on its enemies, as against pirates, robbers, &c. May avenge insults or wrongs.

In order to manifest the desire of the government to aid and improve the company, it will contribute and put at equal risk with others, 400,000 Swedish dollars. Government subscription.

The government, besides the four florins per cent. duty, will receive one-fifth of ores, silver and other minerals, which may be transported from the mines, and one-tenth of the fruits of the country, in recompense for its aid, privileges, &c., granted. The merchandise, and metals received for merchandise, to be exempted, and remain for the country. Government share of mines, &c.

“And whereas, William Usselinx, of Brabant, Antwerp, has spent much time of his life in seeking out said ports, and

1626.

Share of W.
Usselinex, as
proposer of
the com-
pany.

by the testimony of the State of Flanders, and Maurice, Prince of Orange, he is stated as the chief inventor in Holland of the West India Company, and by him its administration has been much aided, and having already resolved to establish himself in Sweden, has promised faithfully to exert himself; therefore, to recompense him, the company are to pay him 1 florin per 1000, of the merchandise which the company shall either import or export during its traffic within the limits of its charter.

A council to
be consti-
tuted.

The company to constitute a council, which, with its officers, shall attend to the administration of justice, preservation of good laws, continuation of war; appoint soldiers, governors, directors, and judges; build castles and cities; accommodate differences between citizens of the country and the natives, as well as between directors or chambers, and finally, preserve every thing in good condition and under good order.

Of stock-
holders.

This council must consist of the chief stockholders, and attend to the business and consignments on commission and others, furnish information of the ships and advices received, and decide on operations. The number of council to be determined by circumstances and the judgment of the company.

Large con-
tributors
may appoint
agents.

If any chief community, city, or company contributes 500,000 to the company, it may appoint an agent, with full powers to negotiate about things necessary to be done.

Alterations.

If the company requires alterations in the conditions, &c., of the charter, not contrary to the laws and welfare of the republic, they may be conceded to it.¹

This charter is dated Stockholm, June 14, 1626.

Errors of
early histo-
rians with
regard to the
arrival of
the Swedes.

This company having received its charter, is said to have been enthusiastically encouraged by the subscription of persons of every rank, and that every thing was in readiness for carrying out the plan to its fullest extent. It is even asserted that the expedition actually sailed, but was captured by a Spanish fleet, but documents, hereafter to be noticed, will, we think, clearly show, that, owing to wars, &c., nothing was effected for several years afterwards. Some of the early historians, (at the head of whom is Campanius,) even assert

¹ The above charter is translated from "Argonautica Gustaviana," printed at Francfort, in 1633, a very rare work; the only copy known to be in this country is in the valuable library of Harvard College, to whose librarian the author is indebted for the use of the work: it is in the German language. The charter is also to be found in the Italian language, in the 4to edition of Hart's *Life of Gustavus Adolphus*, vol. ii. pp. 13, 14. See also Bancroft, vol. ii. p. 285.

that the arrival of the Swedes took place in this year, or the next, in which later writers have naturally followed.¹ 1626.

It will be seen, as we proceed, that these early writers are evidently in error, which we can only account for by the work of "Campanius" having been written many years after his death, by his grandson, who was never probably in this country, but whose information was derived, as the translator² in the preface observes, "from notes or memoranda left by his grandfather, and the verbal accounts which he obtained from his father, and writers who preceded him." How accounted for.

It is a little remarkable, that while Gustavus Adolphus was thus laying a foundation for a future portion of her empire, his daughter Christina, afterwards the empress, should be born. This took place on the 9th day of December.³ December 9.
Christina
born.

1629.

For the purpose of promoting the settlement of colonies in New Netherlands, which was one of the objects originally intended by the establishment of the Dutch West India Company, the Assembly of XIX. granted a charter of "Freedoms and Exemptions, to all such as shall plant any colonies in New Netherland," by which members of the company might send, on certain terms, in the company's ships going thither, three or four persons, to inspect the situation of the country, with a view to the selection of lands. They who, within four years after giving notice to the company, undertake to plant a colony of fifty souls, over fifteen years of age, one-fourth of the number within the first year, and the remainder of the fifty within three years more, were to be acknowledged as patroons of New Netherlands; neglecting to comply, they forfeited the privilege. The island of Manhattan was excluded. They were to have the preference to the lands they selected, with liberty to choose others, if they did not suit them, (the commander and council approving.) They might extend their limits four miles Dutch, (sixteen English,) along shore on one side, or two miles, (eight English,) on each side of a navigable river, and as far into the June 7.
Patroon-
ships esta-
blished.

¹ Into this error the author, in the Register of Pennsylvania, in a hasty sketch drawn up on the moment, from the then accredited authors, and before he had looked as much as he has since, into authorities, fell; which he now embraces the opportunity to notice and correct.

² P. S. Duponceau, p. vi. of vol. iii. Mem. Penns. Hist. Soc.

³ Biographical Dictionary.

1629. country as their situation would permit; the company reserving the lands remaining between the limits of the colonies, to be disposed of as they think proper, under the general rule that no person be allowed to come within seven or eight miles (or thirty-two miles English) of them, without their consent. The jurisdiction of the river to be in the States-General or company. They were to enjoy and possess for ever the lands within their limits, fruits, rights, minerals, rivers, and fountains; have "chief command and lower jurisdictions," fishing, fowling, and grinding, exclusively, as a perpetual inheritance from the company, or if it devolved to the company, might be redeemed with twenty guilders, paid within one year and six weeks. If they found cities, they may establish officers and magistrates, and use the title of the colony at pleasure, and according to the quality of the persons; and may dispose of it by will. Besides these powers and privileges, others of trade, exemptions from taxes, &c. &c. were granted, which may be seen at length in the authorities referred to.¹ It was a system of "feudal tenure and feudal burdens,"² transplanted from continental Europe.

Charter of
Freedoms
and Exemptions for Patroonships.

June 19.

By the following extract from the proceedings of the chamber at Amsterdam, we are informed of an intention to commence a colony on the Delaware, and which led to an actual purchase.

S. Godyn declares his intention of colonizing in the Delaware.

"The Heer Samuel Godyn, having heretofore given notice here that he intended to plant a colony in New Netherland, and that he also, to that end, had engaged two persons to proceed thither to examine into the situation of those quarters, now declares that he, in quality of patroon, has undertaken to occupy the bay of the South River, on the conditions concluded in the last Assembly of the XIX., as he hath likewise notified the director, Peter Minuit, and charged him to register the same there."³ It appears, however, that previously, viz. June 1, his agents had purchased from the natives the tract of country on the west side of South River Bay, extending from Cape Henlopen inland thirty-two miles, and two miles in breadth, which purchase was ratified July 15th of the next year.⁴

Purchase made on west side of river.

¹ O'Call. vol. i. p. 112; and Holl. Doc. vol. ii. 98, 99. Moulton, 389. N. Y. Hist. Coll. vol. i. p. 370, N. S.

² O'Call. vol. i. p. 120.

³ Appendix to O'Call. vol. i. p. 479, taken from a notarial copy, which is among papers of the late Proprietaries of Pennsylvania.

⁴ O'Call. vol. i. p. 121.

Who the agents of Godyn, in this purchase were, does not appear, but the fact tends to show that communication must have been held with the natives by sea, and that vessels then visited the river. Moulton says, one of three ships sent over by the department of the West India Company this year, visited the Indian village on the south-west corner of New Port May, or Delaware Bay, and that the purchase was then made from Cape Hindlop to the mouth of the river.¹ 1629.

1630.

Before the director-general and council of Manhattan, July 15. appeared several chiefs of the nation from whom the purchase of land had been effected last year, on Delaware Bay, then called Godyn's Bay, and made their formal acknowledgment of the sale in the following words:

“Before us, (the Directors, &c.) in their proper persons, came and appeared Quesquakous, Ensanques, and Sickonesyns, and inhabitants of their villages, lying on south corner of the Bay of South River, and declared voluntarily and deliberately, and with the special order of the rulers, and with the consent of the community there, that on the 1st of June, in the last past year 1629, for and in consideration of certain parcels of goods which they acknowledge to have satisfactorily received into their hands, before the passing of these presents, they have, in their true and free ownership, transported, given over, and deeded to and for the behoof of, the much esteemed Mr. Samuel Godyn, (absent, and for whom we, ex officio, under stipulations, accept the same,) viz. the land belonging to them lying on south side of aforesaid bay, by us named the Bay of South River, extending in length from Cape Hindlop to the mouth of said river, about eight large miles,² and landwards half a mile,³ to a certain valley or marsh, through which these bounds can be sufficiently distinguished, and that, with all the action, right and equity which to them in the aforesaid quality appertain, constituting and putting the aforesaid Mr. Godyn in their place and stead, in the sure and actual possession thereof, and moreover, also giving full and irrevocable might, authority, and special license, unto said Samuel Godyn, or his assigns, peaceably and quietly to possess, enjoy, cultivate, use, and have the said lands, *tanquam actor et procurator in rem suam ac propriam*,

Indian deed for the sale to S. Godyn, on Delaware Bay, south or west side.

¹ Moulton, p. 401.

² Dutch, or 32 English.

³ Two miles English.

1630. and also to do with, manage, and dispose of the same, as he may or can with his own lands, to which he is rightfully and lawfully entitled, without that the grantors having or reserving thereto or thereout, any part, right, title, or authority, either of ownership, power, or jurisdiction, but, to the behoof as aforesaid, from henceforth for ever, desisting, resigning, and renouncing the same, promising moreover not only to keep, maintain, and fulfil this, their transport, and whatever may be done by virtue thereof, for ever after, *firm, inviolable*, and irrevocable, but also to maintain and defend the aforesaid land against all persons, free from all claim, challenge, or incumbrance to be made thereon by any person, all in good faith, without fraud or deceit. In witness whereof, these presents are confirmed by our usual signature, and with our seal thereto affixed. Done on the island of Manhattan, this 15th day of July, 1630.”¹

Sale to S.
Godyn.

No signatures recorded.

It is stated by O’Callaghan, that, according to “Holland Documents” lately received, Samuel Bloemmaert was interested with Godyn in the above purchase; his name, however, does not appear either in the original or translation, in the Albany Documents from which we copied the foregoing instrument.²

A patroon-
ship formed,
and articles
of associa-
tion entered
into for esta-
blishing a
colony on
South River,
under Capt.
De Vries.

David Pieterszen De Vries, of Hoorn, a port in North Holland, “a bold and skilful seaman,” and a “master of artillery in the service of the United Provinces,” having, about two months previously, returned from the East Indies, met with Mr. Samuel Godyn, a merchant of Amsterdam, and the purchaser of the land above mentioned, who informed him of the intention of himself and associates to form a colony in New Netherlands, particularly directing his attention to the South River, with a view to the whale fishery, “whales being plenty in those regions, and fish oil being 60 guilders per hogshead” in Holland. The offer of “commandership” was made to De Vries, and employment “as second patroon,” as was granted by the States, and by the 19th of the West India Company’s charter, which he declined to accept, unless he was made in all respects equal with the others as a patroon, which being readily agreed to, a patroonship was formed by entering into formal articles of association, on 16th of October, 1630. The members composing it were Samuel Godyn,

October 16.

¹ Albany Records, vol. xxvi. GG. p. 11, 12. Reg. Penns. vol. iv. p. 82.

² O’Call. vol. i. p. 122. Holl. Doc. vol. i. p. 176—180.

Killiaen Van Rensselaer, Samuel Bloemmaert, Jan De Laet, and De Vries, to which number several persons were afterwards added. Immediate measures were taken to prepare for the expedition. A ship and yacht were fitted out, "as well for the whale fishing in those parts," as for the establishment of a colony, "planting of tobacco, raising of grain," &c. All things being ready, and about thirty colonists received on board, the vessels left the Texel, December 12, 1630.¹

1630.

Expedition fitted out and sails.

December 12.

1631.

The precise date of the arrival of De Vries's expedition, in the Delaware, is not known, but as he told us he sailed on December 12, 1630, and allowing for the length of the passages usual at that period, we conclude he arrived in March or April of this year. After passing Cape Cornelis, he entered into a deep creek, abounding with oysters, which was called Hoornkil or Hoerkil, the present Whorekills,² or Lewes Creek. Here, having selected a suitable spot, he erected a house, surrounding it with palisades, instead of parapets and breastwork, which served the purposes both of trade and defence. It was called Fort Oplandt.³ Being favoured in the season, they suffered but little inconvenience from the weather. Their settlement was on the purchase made in 1629 for Godyn, and assumed the name of Zwanendal, or "Valley of the Swans." But little information is on record respecting the progress of this infant Dutch colony. No doubt every effort was made to provide for their wants, and to place it in a proper state of defence; at least De Vries so considered it, for in the course of the year probably, (for the date is not given,) he left it in charge of Gillis Hosset, and sailed for Holland.

De Vries's arrival in the Delaware. Settlement at Zwanendal. Erection of Fort Oplandt.

De Vries departs for Holland.

Another purchase was made on the South River, from the Indians, as set forth in the following acknowledgment before the director-general and council at Manhattan.

"Appeared before us, Peter Heÿsen, skipper on board the ship named Walrus, (or Whale,) lying at present on the South River, and Gillis Hosset, commissary, lying in the same, and declared, that on the *5th day of May* last past, before them

May 5.

¹ De Vries, in N. Y. Hist. Coll. vol. i. N. S., p. 250. O'Call. vol. i. p. 128.

² For the origin of this name, tradition has assigned a reason which needs the support of evidence.

³ De Vries, Moulton, vol. i. p. 406.

1631. in their proper persons, appeared Sannoowouno, Wiewit, Pemhacke, Mekowetick, Teehepuwya, Mathamen, Sacoock, Anehoopoen, Janqueno, and Pokahake, rightful owners, proprietors, and inhabitants of the east side of the Godyn's East Bay, called the Cape of May, both for themselves and the *rato caverendo*, (the remaining,) and all other proprietors of the same land. The said appearers, in their sacred quality, voluntarily and deliberately declared, that in a rightful, full, and free ownership, by virtue of titles, and the right of selling, and in consideration of certain parcels of goods, which they the grantors, in the said quality, before the passing of these presents, acknowledged to have received and obtained, they had transported, ceded, and given over, and by these presents, they do transport, &c., to and for the behoof of their excellencies Mr. Samuel Godyn, and Mr. Samuel Bloemmaert, (absent,) and for whom the said appearers, the following did accept with suitable stipulations, viz. the east side of Godyn's Bay, or Cape May, extending four miles from the cape aforesaid, bayward in, and four miles along the coast towards the south, and four miles landward in, being a square of 16 miles, and that, with all which, in right and equity, to the said appearers in the aforesaid quality therein appertained, constituting and substituting the said grantees, (the before named agents,) in the stead and state, in the real and actual possession of the same, and at the same time to their said excellencies Messrs. Godyn and Bloemmaert, or to their successors, full, absolute, and irrevocable right, *tanquam*, &c., the said land peaceably to enter upon, possess, inhabit, cultivate, occupy, use, and therewith do, and thereof dispose and trade away, as they might do with their own, honestly and legally gotten, without that they the said grantors, in their aforesaid quality, (capacity,) thereto, and to any part or piece thereof, should have, reserve, or save in the least, any part, action or authority, whether for ownership, command, or jurisdiction, but superabundantly for the behoof as aforesaid, from this time forth, and for evermore, wholly and absolutely therefrom, desisting," &c.¹ June 3, 1631.

Purchase on
east side for
Godyn and
Bloemmaert.

June 3.

This purchase has been stated, by several writers, to have been made May 5, 1630. This has arisen, we presume, from an error in quoting from the records, as the date of the fore-

¹ Albany Records, vol. xxvi. pp. 27, 30, GG. 29.

going paper, *Jan.* 3, 1631,¹ instead of *June* 3, 1631, which would render the *5th of May last past*, as in 1630. The date we have given is copied from the Albany record itself, and corresponds with the date of the two preceding acknowledgments, as alluded to in a subsequent instrument² for the sale of both purchases. It appears to us most probable, that De Vries having arrived prior to the 5th May, Heijssen was the commander of the ship Walrus, and that Hosset was the commissary of the expedition, and that possessing, by previous purchase, the western side of the river, it was deemed advisable to obtain the east side also, and that the purchase was accordingly effected as above. Both sides of the river, it seems, passed by the name of "Zwanendal," or "Valley of Swans," although the term has generally been applied to the settlement on the western shore. Hosset was an agent also in the purchase of lands around Fort Orange, for Van Renssellaer, in 1630,³ and must therefore, most probably have returned to Holland, prior to accompanying De Vries, unless, indeed, he was despatched for the purpose from Manhattan, upon De Vries's arrival.

1631.

The departure of De Vries appears to have been unfortunate for the colony, as his prudence might have saved it from the unhappy occurrences into which the indiscretion of those intrusted with its management involved it. It seems that, conformably with the custom of the Dutch, a pillar was erected, bearing a piece of tin, on which were traced the coat of arms of the United Provinces, which being innocently removed by an Indian, was viewed by Hosset, who was left in charge, as a national insult, and led to the entire destruction of the colony, this year, or early in the next, by the Indians. The particulars, as subsequently related to De Vries, on his return from Holland, we find in his journal. De Vries inquired "the reason why they had killed our people. He showed us a place where our people had erected a pillar, to which was attached a piece of tin, upon which was figured the emblem of Holland. One of their chiefs wanted to take this piece of tin to make of it tobacco pipes, not knowing that it was improper. Those who had the command at the house showed much dissatisfaction, so that the Indians did not know how to make amends. They went away and killed

Destruction
of De Vries's
colony by the
Indians.

¹ Moulton, p. 401. Acrelius, p. 417.

² O'Call. vol. i. p. 479.

³ O'Call. vol. i. pp. 125, 138.

1631. the chief who had taken the tin, and brought a token of it to those who commanded at the house, who told them that they had done wrong; that they ought to have come with him to the house, and they would have only told him not to do so again. They then went away: but the friends of the murdered chief had resolved to be avenged. They attacked our people when they were working in the field, leaving but a single sick man in the house, and a large bull-dog, which was chained out of doors. The man who had command of the house stood near the door. Three of the boldest Indians, who were to perpetrate the deed, came and offered him a parcel of beavers to barter, and contrived to enter the house. He went in with them to transact the business; that being done, he went to a garret where the stores were. Coming down, one of the Indians cleaved his head with an axe, so that he dropped dead on the floor. They then murdered the sick man, and then went to the dog, which they feared most, and shot at least twenty-five arrows at him before he was killed. They then went in a treacherous manner to the people in the field, approaching them under the appearance of friendship, and murdered one after the other. Thus terminated our first colony, to our great loss.”¹

Destruction
of De Vries's
colony.

Gillis Hosset
is considered
the cause of
it.

In alluding, several years later, to the cause of this destruction, De Vries says, “When we were erecting a colony in 1630, on South River, at Zwanendal, on the Hoeren Creek, and all our people were murdered by the Indians, occasioned by some trifling quarrels of our commander, Gillis Osset, we lost our settlements by mere jangling with the Indians, when thirty-two of our men were murdered.”² Thus charging upon Hosset, whom he had left in command, the blame of it.

The arrival
of the
Swedes as-
signed to
this year by
some.

Some of the early writers fix the arrival of the Swedes, and the building of the first fort by them, in this year, which, from documents hereafter to be noticed, was undoubtedly an error.

Right to the
country
said to have
been relin-
quished by
the English.

In this year, also, it has been said that, upon the application of his excellency John Oxenstiern, ambassador to England, King Charles I. relinquished to the Swedes all claim to this part of the country by reason of discovery. Of any evidence of this agreement, no documents have been, thus far, produced. Acrelius also refers to this circumstance, but places it at a later period.

¹ De Vries, in *N. Y. Hist. Soc. Coll.* vol. i. N. S., p. 252.

² *Ibid.* 266.

1632.

Director Minuit was recalled, and embarked some time in the spring, for Holland, taking with him 5000 beaver skins, on account of the company. Being obliged to put into England by stress of weather, the vessel was seized for having traded in his majesty's dominions against his express commands, but after various exchanges of documents on each side, asserting claims to the country, the vessel was released.¹

Peter Minuit, director, recalled, and returns to Holland.

Lord Baltimore obtains a grant for Maryland, under which he claimed a right to the lands on the west side of Delaware River, and which gave rise to continual controversies between him and the Dutch, and afterwards with the Pennsylvania proprietaries, which were not settled for more than one hundred and thirty years.

June 20.

Lord Baltimore obtains a charter for Maryland.

Lord Baltimore first intended to settle in Virginia, but being a Roman Catholic, and finding himself uncomfortable there on account of his religion, departed for England, and obtained a patent for land originally granted to the South Virginia Company, but dying, never returned. His son, in 1633, had the patent confirmed to himself. It occasioned unpleasant feelings between Maryland and Virginia for a time, owing, chiefly, to their being rivals in the tobacco business. The following proceedings and description will show the extent of the grant.²

Lord Baltimore dies in England. Patent afterwards confirmed to his son.

“By letters patent of this date, reciting the petition of Cecilius, Lord Baltimore, for a certain country thereafter described, *not then cultivated and planted, though in some parts thereof inhabited by certain barbarous people, having no knowledge of Almighty God*, his majesty granted to said Lord Baltimore :

Charter to Lord Baltimore for Maryland, by which he claimed a right to the Delaware, which was long a source of controversy.

“All that part of a peninsula lying in the parts of America between the ocean on the east, and the Bay of Chesapeake on the west, and divided from the other part thereof by a right line drawn from the promontory or cape of land called Watkins's Point, (situate in the aforesaid bay, near the River of Wighco,) on the west, unto the main ocean on the east; and between that bound on the south, unto that part of Delaware Bay on the north which lieth under the 40th degree of

¹ O'Call. vol. i. p. 130.

² Beverly, 47, 48. Burke's Virginia, ii. 39. Bozman's Maryland, i. 344, 345, and note (S.) Hazard's Hist. Coll. vol. i. p. 337.

1632. north latitude from the equinoctial, where New England ends; and all that tract of land between the bounds aforesaid, *i. e.* passing from the aforesaid bay called Delaware Bay, in a right line by the degree aforesaid, unto the true meridian of the first fountain of the River of *Pattoumeck*, and from thence trending towards the south unto the further bank of the aforesaid river, and following the west and south side thereof, unto a certain place called Cinquack, situate near the mouth of the said river, where it falls into the Bay of Chesapeake, and from thence by a straight line, unto the aforesaid promontory and place called Watkins's Point."¹

November.
Gustavus
Adolphus
again thinks
of the
scheme of a
company.
His death.

Gustavus Adolphus, one of the noblest monarchs of Europe, and King of Sweden, who took so lively an interest in establishing a Swedish West India Company in 1626-27, and colonizing this country, was killed at the battle of Lutzen, nobly fighting at the head of his army, by which untoward event the accomplishment of the object which he had so much at heart was still longer delayed for several years. But a short time prior to his death, (October 16,) at Nuremburgh, he drew up a recommendation to the people of Germany, of his favourite scheme of a company, which was ready for his signature, but which was prevented by his death. It was, however, the next year submitted to the people by his excellent chancellor Oxenstiern.²

December 5.
De Vries's
return from
Holland.
Has inter-
views, and fi-
nally makes
peace with
the Indians,
from one of
whom he
learns the
particulars
of the mur-
der of the
colonists.

In the latter part of this year, De Vries, having previously heard of the destruction of his colony on the Delaware, sailed from the Texel. On the 5th of December he entered the South Bay, having a whale near his vessel. "He promised himself great things, plenty of whales, and good land for cultivation." On the next day he proceeded up the kill, being well armed, in case of meeting with Indians. He now realized the truth of what he had learned before leaving Holland. He "found the house destroyed. It had been surrounded by parapets or breastwork, but most of them had been burned. The ground was bestrewed with the heads and bones of his murdered men, but he saw no Indians." Supposing they might be attracted by the sound of a gun, he went on board the vessel, and ordered a gun to be fired. On the 7th, two Indians appeared near the destroyed house; afraid to approach, they wished the people from the vessel to

¹ Statement of Penn's Case, by Murray, Reg. Penns. vol. ii. p. 204.

² Argonautica Gustaviana. Bancroft, vol. ii. p. 282.

come on shore, which De Vries resolved to do next day, in the yacht, that he might "have a shelter from their arrows." 1632. Accordingly, he went in the yacht, up the creek to the house. The Indians were on the shore, but at first would not go on board; at last, however, one went. De Vries gave him a cloth dress, and told him he desired to make peace with them. Others then went on board, expecting also a dress, but he gave them only trinkets, adding that the dress was given to the first as a reward for his confidence in venturing to enter the boat. They were desired to come next day with their chief, called *Sakimas*, for the purpose of making a satisfactory peace. One Indian, however, remained on board all night in the yacht, and from him De Vries, upon inquiry, received the account which has already been given, of the murder of the colonists. On the 9th, the Indians, with their chief, came: "they sat down in a circle, and concluded peace." Presents were made them of duffels, bullets, axes, and Nuremberg trinkets, with which being well pleased, and with promises of reciprocal benefits, they departed joyfully, no notice or vengeance having been taken of the previous cruelties committed.

De Vries now made "preparations for the fishery, and for boiling oil, by forming a lodging place of some boards."¹ De Vries prepares for fishing.

1633.

De Vries, after remaining since the conclusion of the peace, in the neighbourhood of the creek, probably engaged in the fishery, proceeded in the yacht up the river, to procure beans from the Indians. They saw a whale before the mouth of the river. On the 5th he was before the little Fort Nassau, where formerly lived some families of the West India Company. Here he found a few Indians disposed to barter some furs, but wanting only Indian corn, and having parted with most of his articles at Zwanendal, he had none to trade for furs. They advised him to proceed to Timmerkill, (now Cooper's Creek,) from which he was prevented by the kind interference of an Indian woman, to whom he gave a cloth dress to induce her to communicate what she knew. She belonged "to the Sankitans." She informed De Vries that they had murdered the crew of an English boat which ascended the *Count Ernest* River, and would undoubtedly attack them. On the 6th he weighed, and lay before Tim-

January 1.
De Vries sails up the Delaware. Meets with Indians. Is saved by an Indian woman from destruction.

¹ De Vries, p. 252.

1633. merkill, fully prepared for the Indians, if they attempted to harm him. They soon approached the boat, offering beavers, and about forty-two or forty-three entered the yacht: some began to play on reeds, so as to induce no suspicion of their designs, but, being only seven in number, the crew were upon their guard, and when De Vries thought they had been long enough on board, he ordered them ashore, threatening to fire if they refused to depart; their sachem offered beavers for sale, which were declined, and the Indians were again ordered on shore, and given to understand that Manito, their devil, had advised him of their evil designs; they then went on shore.

Many Indians come on board. His treatment of them.

Finds Fort Nassau crowded with Indians. Exchange of presents.

These Indians are said to be "Roodehocks or Mantes;" they were partly dressed in English jackets, which created suspicion, and confirmed the story of the Indian woman, who so providentially was the means of saving a second expedition from destruction. On the 8th, De Vries returned to his position before the fort, which was now crowded with Indians, and their numbers increasing. A canoe, with nine chiefs from different places, came off, amongst them the man who had appeared with the English jacket, which, however, he did not now wear. They sat down in a circle, and said they had discovered that De Vries's people were in fear of them, but they came to conclude a permanent peace, and presented ten beaver skins, with a distinct ceremony with each. De Vries in return offered some presents for each, such as an axe, adze, small knives, &c., which they refused, saying, "they did not make their presents to receive others in return, but to make peace." They were told that some presents would be given for their wives, but they replied, "these must be given to them on shore." De Vries, on the 9th and 10th, obtained from them in barter some Indian corn and furs; on the 19th, he went upwards of a mile from "Jacques Eyland?" entered a fine creek, abounding in vines, which they therefore called "Wyngaert's Kill, or Vine Creek."

De Vries now determined to proceed to Virginia, as he had failed, in South River, to procure corn and other provisions for his return voyage, in doing which he had incurred some danger, and as none of the Dutch had been to Virginia before him, he would have the honour of making the first visit there.

De vries determines to go to Virginia.

De Vries accordingly sailed for Virginia, where, upon his

arrival, the governor, attended by some officers and soldiers, met and cordially welcomed him, inquiring whence he came; on being informed "from South River," he invited him to his house, and treated him to a glass of wine. He then told him that South Bay belonged to the British, and was by them named Delaware Bay, after Lord Delaware, who some years ago had taken possession of it, but not supposing it navigable, owing to the sand banks, he did not ascend the river. De Vries then informed him that he was mistaken; that the Dutch had there built a fort many years ago, called Nassau, of which he appeared never to have known before, and that it was a fine navigable river. The governor spoke of a small vessel that he had sent, some time before, to the Delaware, which had not returned, and he supposed was lost. De Vries then related the circumstance mentioned by the Indian woman, of the murder of an English boat's crew, and that he had seen an Indian wearing an English jacket, which he concluded to have belonged to his boat's crew, who had been sent there to make discovery. The governor gave him six goats for his new colony; he purchased some provisions, and returned to South Bay. He learned that in his absence they had taken only seven whales, which yielded 32 cartels of oil. Finding, therefore, that the fishing here was too expensive in proportion to the profit, and the fish poor, he prepared to return to Europe, and on the 16th of April weighed anchor, and arrived at Fort Amsterdam, on Manhattan, shortly after,¹ and thus finally left the Delaware River for several years; and terminated the second expedition.

1633.

March.

De Vries goes to Virginia. Friendly reception by the governor.

Returns to the Delaware. Little success in fishing. Finally leaves for Europe.

This year arrived at Fort Amsterdam, in the ship Zoutberg, (or Salt Mountain,) a vessel of 20 guns, and 52 men, and 104 soldiers, Wouter Van Twiller, having the appointment of director-general over New Netherlands. He had been a clerk in the employ of the West India Company, and was now successor to Peter Minuit, of whom we shall know more hereafter.²

April.

Arrival of Gov. Van Twiller at Manhattan.

This year the Timber Creek Indians were at war with the Minquas, on the Christina. The name of the sachem of the former tribe was, according to De Vries, Zee Pentor.³

Indians at war.

¹ De Vries. Du Sim. MSS. Philada. Library. N. Y. Hist. Coll. vol. i. N. S., p. 254.

² O'Call. vol. i. p. 141.

³ De Vries. Mickle, p. 11.

1633.

April 10.

Oxenstiern
publishes
the procla-
mation for
the Swedish
West India
Company,
left unsigned
by Gustavus.

Chancellor Oxenstiern publishes the proclamation which had been left unsigned by Gustavus Adolphus, and adds, "though the above declaration and amplification of the before-mentioned privileges of his majesty, of glorious memory, could not have been signed, on account of the multifarious and incredible affairs of the war, I cannot, in consequence of my duty and good personal knowledge, but certify that the same has been the highest desire and wish of his royal majesty; therefore I, by the crown of Sweden, and plenipotentiary minister-general, have signed it with my own hand, and affixed my seal to it, at Heilebrunn, April 10, 1633."

June 26.

And also an
address
assigning
reasons for
the delay in
organizing
the com-
pany.

The chancellor publishes an address, in which he presents the reasons which have already so long delayed the carrying into effect the plans previously submitted by his majesty. He says, "our worthy king and lord, a few years ago, after mature deliberation and good counsel, found it expedient and highly useful to grant and to forward the design, that in his kingdom and lands there should be established a general commercial and navigation company, and that free and open commerce should be carried on in every part of the world where the greatest advantages might be derived. We also declare that this work was almost carried into operation, when it was delayed through various circumstances, especially by the absence of his majesty, owing to the necessary crusades in Prussia and Germany, and also by the long, tedious, and necessary absence, (granted by his majesty,) of the original projector of this work, until this date, and who is now appointed first director, our beloved W. Usselincx. These delays were not without a special divine providence."

The period
for uniting
with the
company ex-
tended.

The period for uniting with the company was extended to the 1st of January, 1634, and the people were urged to enter upon the work with zeal and liberality, in which the government tendered its aid and encouragement.¹

Pledges and
payment of
funds in the
company.

It appears, by the document left unsigned, that "many persons had already pledged themselves to furnish large sums, and paid in a great part of them, but the object had been postponed and deferred by many powerful hinderances, chiefly, of late, by our wars in Prussia and Germany."

Arent Corssen was this year commissary of Fort Nassau,

¹ Argonautica Gustaviana, 1635. Bancroft, vol. ii. p. 284.

under Van Twiller,¹ at which a large house was also directed to be built, and numerous repairs made. 1633.

Orders were given to Arent Corssen, to purchase a tract of land on the Schuylkill, on which was afterwards erected a fort called Beversrede, "a place remarkably well situated," and named thus on account of the beaver trade, which was carried on there very briskly with the natives and wild Indians, "which it was estimated might, for years to come, be brought to amount to thousands. Those from the South, (called Munquassen,) and the wild blacks, are brought down in large quantities; so that this river, for its fitness, handsome situation, as well in regard of trade as of culture, will always be held by the company and ministers in high estimation."² Under these favourable anticipations, Corssen obtained from the chiefs a conveyance, agreeably to the following confirmation, on record in the office of the West India Company, in 1648, and witnessed by Augustin Heermans, Govert Loockermans, Juriaen Plancke, Cornelis Jansen Coele, and Sander Leendertsen.

Purchase of
Schuylkill
by Arent
Corssen.
Fort Bevers-
rede.

"We, the subscribers, Amattehooren, Alebackinne, Sinquees, &c., chiefs over the portions of the tracts of land lying about and on the Schuylkill, called Armenveruis, declare, that after a proper and deliberate consideration, we have sold to Arent Corssen, the Schuylkill and adjoining lands, for certain cargoes, for which we were not paid in full, but for which we are fully satisfied at present; therefore we, the above chiefs, with this, give full and irrevocable authority and power, and confirm the said purchase, and are prepared at all times to stand forth and clear the same of all attempts and claims, and all intentions by anybody. Passed thus, and in token of the truth, by us natives subscribed in presence of the above-named witnesses. Done at Fort Beversrede, the Delaware N. N." Signed by Amattehooren, Sinquees, Alebackinne, Michecksowwabbe, Quironquecock, Kaucke, and Walpackvouck, with their appropriate marks.³

Indian deed
for Schuyl-
kill.

The foregoing purchase is referred to in a public Dutch document, in 1656, and also in Hudde's report, in 1645, where he says, "in regard to the Schuylkill, these are the lands purchased and possessed by the company."⁴

¹ O'Call. vol. i. p. 142, 156.

² Holl. Doc. vol. viii. p. 32 to 50, translated.

³ Holl. Doc. vol. viii. p. 55, 56. Also in O'Call. vol. ii. p. 81.

⁴ Albany Records, vol. xvii. N. Y. Hist. Coll. vol. i. N. S., p. 429, 440

1634.

June 21.
Grant to Sir
Edmund
Plowden, of
New Albion.

Boundaries.

We have now arrived at a portion of our history which has much perplexed most writers who have preceded us, some of whom have treated it with gravity, while others have been disposed to view the whole subject in the light of fiction. It seems that on the 21st of June, 1634, King Charles, of England, made a grant to a certain person, named Sir Edmund Plowden, (or Ployden, as it is most frequently written,) knight, &c., which recites, that “whereas our well-beloved and faithful subject, Edward Plowden, knight, from a laudable and manifest desire, as well of promoting the Christian religion as the extending of our imperial territories, hath formerly discovered, at his own great charges and expenses, a certain island and regions hereafter described, in certain of our lands, to the western part of the globe, commonly called *North Virginia*, inhabited by a barbarous and wild people, not having any notice of the Divine Being, and hath amply and copiously peopled the same with five hundred persons of our subjects, being taken to that colony as companions of the same pious hopes or intentions; and the colony being founded, elected to himself John Lawrence, knight and baronet, &c., and hath humbly supplicated our royal highness to erect all that island and region into a province and county palatine, and to give and confirm the same, with certain privileges and jurisdictions, for the wholesome government of the colony and region aforesaid, and the state thereto belonging, unto them, their heirs and assigns; and also praying that we should create and invest the same Edmund Plowden, knight, and his assigns, with the dignities, titles, and privileges of governors of the premises.” “Therefore know ye that,” &c. “we have given, granted, &c., to the before-named Edmund Plowden, &c., all that entire island, near the continent or terra firma of *North Virginia*, called *Island of Plowden*, or *Long Island*, between 39° and 40° , together with part of the continent or terra firma aforesaid, near adjoining described; to begin from the point of an angle of a certain promontory called *Cape May*, and from thence to the westward, for the space of 40 leagues, running by the *River Delaware*, and closely following its course by north latitude, unto a certain rivulet there, arising from a spring of the *Lord Baltimore*, in the lands of *Maryland*, and the summit aforesaid to the south,

where it touches, joins and determines in all its breadth; from thence takes its course into a square, leading to the north by a right line for 40 leagues, &c.; thence likewise by a square, inclining to east, in a right line, for the space of 40 leagues, to the river and part of Reacher Cod, and descends to a savannah, touching and including the top of Sandheey, where it determines; and from thence toward the south by a square, stretching to a savannah, which passes by and washes the shore of the island of Plowden aforesaid, to the point of the promontory of Cape May, above mentioned, terminates where it began," &c. 1634.

The grant then continues, "with all and singular, islands and isles, floating, or to float, and being in the sea, within 10 leagues of the shore of the said region," all ports for shipping, and creeks of the sea, lands, grounds, woods, lakes, salt waters and rivers adjoining, "with fishery of all kinds of fish, whales, and sturgeon, and all other royalties in the sea or fishing rivers;" all gold, silver, and precious stones, and otherwise, &c. The churches to be built "may be held, &c., as by any bishop of Durham." The said Sir Edmund, heirs and assigns, to be true and absolute lords, &c., (saving the faith and allegiance to the king,) with "such titles, additions, dignity and privileges as George Calvert, knight, within the province or county palatine of Glastonbury, within our new lands, or as said Lord Baltimore, within Maryland, &c.;" the said Edmund to hold, possess, &c., the said title, addition, dignity, and privilege of earl palatine, or office of governor, &c. The region granted "we erect and incorporate, and the same nominate or call *New Albion*," not to be subject to or dependent upon Virginia or New England; may make laws, create manors, and in short do all other things.

It is added, "that he settled the said province, and resided therein, and acted as chief governor for many years."

Having obtained this grant, it appears, from another document of the same date, that an agreement was entered into between the Right Honourable Sir Edmund Plowden, of Plowden, in the county of Salop, knight, lord earl palatine, and governor of the province of New Albion, and Sir Thomas Danby, by which Sir Edmund leases to Sir Thomas, "who hath undertaken to settle 100 persons," 10,000 acres, whereof 9800 are to be bounded in a perfect square, on a part of

Lease and re-
lease to Sir
Thomas
Danby.

1634. Rickney wood, within three miles of Watsesset, his lordship's plantation, and 100 acres lying entire and adjoining to Watsesset town, &c., paying "one silver penny sterling for ever, for every person resident on the premises, upon certain conditions;" the town to be called *Danby Fort*. From another paper, it would appear, that the earl had made over to certain persons, as trustees, the whole property, which they now retransfer to his children, "Francis, Lord Plowden, son and heir of Sir Edward, earl palatine, and George Plowden and Thomas Plowden, two other sons of said Edmund, to the use of said Sir Edmund, earl palatine, during his natural life, with power to grant what estate he pleases, in fee simple, fee tail, for life or years, &c.," in consideration of a certain quantity of land given to the trustees for their services.

Such is a brief sketch of the various documents relating to this curious matter, as are contained in vol. i. pp. 160-174, of Hazard's Historical Collections, "taken from papers published by Charles Varlo, who visited this country in 1784 and 1785, as agent for the Earl of Albion," and who, we understand, then applied to a respectable lawyer in this city, unfortunately for our purpose, since deceased, for the prosecution of the claim, in a part of which he was, by purchase or otherwise, interested.

Judging, therefore, from these documents, upon their face, it would appear there is reason to suppose that the earl had at least a show of title. But as to his operations under it, what he accomplished, whether he was even in this country, and whether there was such a person, have all been subjects of inquiry. We will refer hereafter to some of the views taken by different persons on the subject.

The directors of the West India Company were commissioned, by the Assembly of the XIX., "to treat and transact with all the patroons and colonists in New Netherlands, for the purchase of the patroonships, colonies, dignities, houses, buildings, lands, merchandises, and all the rights, effects, appendages and dependencies thereof, which they were in possession of there." Under this authority, the commissioners, November 27th, entered into an agreement with the patroons, which was completed next year, for the purchase of Zwanendal from them. This measure was probably rendered necessary, by difficulties arising between the company

August 22.

Authority to
West India
Company to
purchase the
patroon-
ships.

Nov. 27.

An agree-
ment is en-
tered into for
the purpose.

and the patroons of New Netherland, in consequence of their pretensions and demands against the company.¹ 1634.

The charter of the Swedish West India Company was confirmed in Germany by the deputies at Frankfort, and was printed at Hamburg, in 1635. December 12.

It does not, however, appear, that matters were yet ripe for execution, as no decided steps were taken for nearly four years afterwards. The probability is, the project was kept alive, and gradually progressing.² We have seen, in the possession of a family in this city, descended from one of the Swedes "who, it is supposed, came with the first colony," and "bore an active part," a "passport," dated December 2, 1634, given to Oloeff Petersen Stille, "to the so-called New Sweden," "he wishing to try other places." It is signed by Erick Bielke, of Wyck Penningby and Nynanas. It is rather a certificate of good conduct than a public pass; it is in Swedish, and was copied from the original itself, upon the fly-leaf of the family Swedish bible, by Jonas Lidman, one of the early Swedish ministers at Wicacco. It is mentioned merely to show that the subject was then in agitation, and the certificate was obtained, probably, under the belief that the plan would be carried into effect immediately. The documents before furnished, however, manifest, we think, conclusively, that for the reasons before assigned, the scheme originally proposed in 1624 or 1625, had, up to this period, failed to be accomplished.

Swedish
Company's
charter con-
firmed.
Passport to
Oloeff Stille.

1635.

By a regular contract signed this day, by the patroon, the owners of Zwanendal transfer to the directors of the West India Company, all their right, title, and interest in that property, upon the following terms. They agree "to surrender, as they do hereby, their two colonies named Zwanendal, in New Netherland, together with the jurisdictions, February 7.

Sale of
Zwanendal
by the pa-
troons to the
company, on
both sides of
the river.

¹ See O'Call. vol. i. pp. 160—165, 365, 479.

² MS. Mem. of Rev. Dr. Collin, former pastor of Wicacco church, who says, "The ancestor, Oloeff Stille, son of Peter Stille, came from the maritime part of the province Upland, in Sweden. A copy of the original passport was taken by Jonas Lidman, who was pastor of Wicacco church from 1720 till nearly 1730." "The time of his arrival here is not on record, but he was probably with the first colony; he resided on Tinnicum, and was much esteemed by the Indians, who used often to visit him; which Rev. J. Acrelius, pastor of all the congregations, mentions in his book on the Swedish Missions, printed at Stockholm, in 1759." N. C.

1635. dignities, lands, rights, and dependencies thereunto belonging, which they there, by virtue of their two distinct sealed patents obtained before the council of New Netherland, resident on the island of Manhattan, dated 15th July, 1630, and 3d June, 1631, in pursuance of letters of conveyance passed by Queskakous and Ensanckes, Sickonesyns, and inhabitants of their villages, and the other by Sawotboue, Wiewyt, Pemhacky and others, appearing on the aforesaid date, both situate on the South River, as well on the south hook of the bay, as on the east side of said river, with all such houses, buildings, out-houses, as they or their servants may have purchased, erected, or brought there, none excepted, to trade with these, together with their own free goods, without reserving therein any right of action, placing such property from henceforward in full possession of the aforesaid company, according to the aforesaid original letters, which they do hereby deliver over, consenting at all times to grant to aforesaid company, &c., when required, further conveyance," &c. They engage further to deliver over, "all charters, maps, and papers concerning the aforesaid colonies." The payments were 15,600 guilders, (\$6240,) in instalments of one-third, on May 27, 1635, Aug. 27, 1636, November 27, 1637; each partner to receive a special obligation for his interest, "pro quota and rata," "without the one being holden to wait on the other for his money;" or they may receive or purchase from the company, according to octroy, in whole or in part goods, deducting six per cent. per annum for the unexpired time of credit. The outstanding accounts between the sellers and company to be considered as discharged; and they not be subject to duties on an expected cargo of timber; and the rights of neither party, in a suit depending between the patroons and company, at Amsterdam, to be impaired. Subscribed by the parties, in Amsterdam, "each for his part in the colony, and no more," February 7, 1635.¹

George
Holmes
makes an at-
tempt upon
Fort Nassau.

An attempted attack on the company's territory on the South River is made by some English from Connecticut. A certain George Holmes, with twelve or thirteen persons, besides his hired man, Thomas Hall, proceeded to Delaware, for the purpose of making a settlement there. Being arrived there, Hall deserted. An attempt by the others was made on Fort Nassau, which failed. They were made prisoners by

¹ See the agreement at length, in O'Call. vol. i. p. 481.

the Dutch, and sent to Manhattan, in a boat of the company. 1635. They were not punished. They are said to have been the first English settlers on Manhattan, near Fort Amsterdam, where they were patronized by the director-general. De Vries furnishes an account of fourteen or fifteen Englishmen arriving in a boat of the company, at Manhattan, who wanted to take Fort Nassau. Hall is said to have hired himself to a farmer, and to have been living on a "small bowery" of the company, in 1650.¹

From this period, there is a chasm in the history of the operations of the Dutch on this river, for two or three years, which we have met with no documents or records to supply. From what occurs after that period, it is presumed the establishment at Fort Nassau had been maintained, and that it was probably done with a view to protect some trade which was still carried on there.

Chasm in the history for a few years.

1638.

This year arrived at Manhattan, William Kieft, as successor to Van Twiller, director-general. He came in one of the West India Company's ships, called the Herring, of 280 tons burden, "carrying 2 metal, 16 iron, and 2 stone guns." Among the officers and servants of the company are mentioned, Andreas Huddie, first commissary of wares, (afterwards conspicuous on South River,) Jan Jansen Van Ilpendam, commissary of Fort Nassau, and Peter Mey, assistant." Kieft was the third director-general of New Netherland, and the first who appears prominently to have assumed a direct supervision over the operations on the Delaware.² He found the fort at New Amsterdam in a decayed state.³

March 28.

Arrival of Wm. Kieft as Director-general of New Netherlands.

As, during our progress, we have endeavoured to point out the errors of different writers respecting the period of the arrival of the Swedes, we will now furnish some documents, sufficient, as we think, to remove all doubts upon the subject, and which the late researches of John Romeyn Brodhead, Esq., have enabled us to present. By the liberality and public spirit of the legislature of New York, he was commissioned as Historical Agent to Holland, England, and France, in

¹ De Vries, p. 259. Holl. Doc. vol. iv. p. 110; vol. v. p. 399. O'Call. vol. i. p. 170.

² De Laet. O'Call. vol. i. p. 180. Albany Records, vol. i. p. 101. ³ Ibid.

1638. 1841, to examine the European archives, and obtain copies of papers, and has returned with the rich fruits of his labours.¹

We have shown, that owing to wars, &c., nothing had been accomplished by the Swedes till after 1635, and now we have their actual arrival announced in an official letter, which, as it has probably never been published, we give entire; it is an extract of a letter from Jerome Hawley, treasurer of Virginia, to Mr. Secretary Windebanke, dated

"Jamestown, in Virginia, May 8, 1638.

"Right Hon.—Upon the 20th of March last, I took the boldness to present you with my letters, wherein I gave only a touch of the business of our Assembly, referring your honour to the general letters then sent by Mr. Kemp, from the governor and council. Since which time here arrived a Dutch ship, with commission from the young Queen of Sweden, and signed by eight of the chief lords of Sweden, the copy whereof

Letter from
J. Hawley,
announcing
to the Eng-
lish govern-
ment arrival
of Swedes in
Virginia,
May 8.

¹ These valuable documents, which reflect so much credit on the legislature of New York, and whose liberality may be well imitated by our own state, are deposited in the Secretary of State's office at Albany, and are freely accessible to persons desirous of obtaining information from them. We feel ourselves much indebted to the politeness of the secretary and deputy for the conveniences afforded to us, while engaged for four weeks in examining them, and the numerous volumes previously translated, at the expense, also, of the state, and of which it will be seen we have largely availed ourselves. The Brodhead Documents consist of sixteen volumes of "Holland Documents," in the original language, from which we made some copies, and had them translated, (but we have availed ourselves largely also of the knowledge and labours of E. B. O'Callaghan, Esq., in his excellent work on New Netherlands, for frequent reference to them;) forty-seven volumes of "London Documents," and seventeen volumes of "Paris Documents," in French, making, as the result of Mr. Brodhead's labours, eighty volumes. A catalogue of the individual documents is printed by the state, and occupies alone 374 large pages. The "Holland Documents," we understand, are translating by Mr. O'Callaghan, at the expense of the state, who have already expended many thousand dollars in historical information. It is respectfully recommended to our legislature to devote the small sum which would be required to employ some person to extract from them those parts which relate to our early history; and also to procure from Sweden copies of the important materials there, of which, with the exception of the few obtained by the Hon. Jonathan Russel, when minister, and now in possession of the American Philosophical Society, we are wholly ignorant, and of course that portion of our early history is obscure. Every hour's delay subjects them to the risk of entire destruction, as Mr. Brodhead was mortified to learn, when in pursuit of the papers of the Dutch West India Company, he ascertained that, after having been kept so many years, apparently without use, they had been disposed of at auction, as waste papers, so late as 1821; thus for ever excluding all hope of access to the valuable information they contained. And the author would also avail himself of the occasion to say, that unless some course be adopted to arrange and preserve the early records at Harrisburg, which are scattered through the various public buildings, "unknowing and unknown," and in their present state lying useless to the historian, they will meet with the same fate as the Dutch documents have done; or be lost for ever, by the destructive hand of time.

*I would have taken to send to your honour, but the captain would not permit me to take any copy thereof, except he might have free trade for tobacco to carry to Sweden, which being contrary to his majesty's instructions, the governor excused himself thereof. The ship remained here about ten days, to refresh with wood and water, during which time the master of the said ship made known that both himself and another ship of his company, were bound for Delaware Bay, which is the confines of Virginia and New England, and there they pretend to make a plantation, and to plant tobacco, which the Dutch do also already in Hudson's River, which is the very next river northward from Delaware Bay. All which being his majesty's territories, I humbly offer the consideration thereof unto your honour, and if his majesty should be pleased to think upon any course, either for removing them, and preventing others from settling upon his majesty's territories, I humbly conceive it may be done by his majesty's subjects of these parts, making use only of some English ships that resort hither for trade yearly, and be no charge at all to his majesty."*¹

1638.

In a long, early Holland document, giving a connected account of New Netherlands from the commencement, we find the following passage:

"This river (Delaware) was in the quiet and peaceful possession of the company (West India) for a number of years, until at last a certain person, Peter Minuit, forgetting the benefits bestowed on him by the company, he having been its director in the New Netherlands, kept his eye on it, but not knowing under what pretence he could go there, proceeded to Sweden, where, (it is said,) he obtained a commission from the government, which had him transported from there immediately, with one or two vessels and some Swedes, mostly bandits, to the before-mentioned River Delaware, where he arrived in the year 1638, and thus twelve years after the company had arrived there, where he had a fort built called Christina, about five or six miles below the company's Fort Nassau, notwithstanding they, as the first discoverers and possessors of the before-mentioned river, have protested against this, at several times, by their ministers, as appears from different letters from its director, William Kieft, of which

Situation of
Dutch before
and at the
arrival of the
Swedes.

¹ Copy from Brodhead's "London Documents," at Albany, vol. i. pp. 57, 58.

1638. the following are extracts." They are addressed to the directors of the West India Company.

Letter from Wm. Kieft to directors. Arrival of Minuit in the Delaware, April 28. "April 28, 1638.—The assistant commissary of Fort Nassau writes that Minuit was on the Delaware, and that he had sent his sloop below the fort; afterwards he wanted to send her up again, but this we prevented. Peter Mey went on board, requesting to see his license or commission, which he refused to show, saying the intention was to build a fort there, and that his queen was as justifiable in building a fort there as the company. I sent Jan Jansen, clerk of the fort, there, and ordered him, in case Minuit intended to do any thing to our disadvantage, immediately to protest against it in proper form. Expecting further news from there, &c."

May 6. Notwithstanding the previous notices given to Minuit, it appears he was progressing with his operations, which was probably the occasion of the following "formal" protest sent to him by Director Kieft, and which is afterwards alluded to in the extract below. There is some uncertainty as to the date; it is found recorded in the "Albany Documents," between May 6, (immediately preceding it,) and May 17, (directly following it;) the former has usually been considered by historians, when they refer to this protest, as its date.

Director Kieft protests against the proceedings of Peter Minuit. "I, William Kieft, director-general of New Netherland, residing on the island of Manhattan, in Fort Amsterdam, under the sovereignty of their High Mightinesses the States-General of the United Netherlands, and the privileged West India Company department at Amsterdam, make known to the Hon. Peter Minuit, who calls himself commissioner in the service of her royal majesty of Sweden, that the whole South River, in New Netherland, has been many years in our possession, and has been secured by us with forts above and below, and sealed with our blood, which has happened even during your direction of New Netherland, and is well known to you. Whereas you now do make a beginning of a settlement between our forts, and art building there a fort, to our prejudice and disadvantage, which we shall never endure or tolerate, and which we are persuaded it never has been commanded by her royal majesty of Sweden, to build fortresses on our rivers, and along our shores, so is it, that we, if you proceed with the building of forts, and cultivating the lands and trading in furs, or engage further in any things to our prejudice, protest against all expenses, damages, and

losses, and will not be answerable for any mishap, effusion of blood, troubles, and disasters which your company might suffer in future, while we are resolved to defend our rights in all such manner as we shall deem proper. This done."¹

Minuit, however, still persevered in the erection of his fort, and it appears from the other extract before alluded to, that Director Kieft again wrote to the company in Holland, informing them of the fact of its being built. He says,

"*July 31, 1638.*—Minuit has built a fort near the Delaware, five miles below our fort, and draws all the skins towards him by his liberal gifts; he has departed with the two vessels he had with him, leaving twenty-four men in the fort, provided with all sorts of merchandise and provisions, and has put down posts, on which are the letters C. R. S. Jan Jansen has, according to my orders, protested against this, on which he gave an answer, a copy of which goes herewith. We afterwards sent him a formal clause of protest, which was read to him, but he did not feel inclined to answer it, and his proceeding is a great disadvantage to the company," &c.²

Another extract referred to, (without date, but probably 1639,) says, "the affairs on the Delaware remain in the same state as last year; the trade there suffers considerably, because the Swede has spoiled it, and still does, and which we are forced to submit to. The trade being taken from us and our country, is felt very sensibly by us."³

The foregoing extracts, therefore, enable us, we think, to decide very nearly the time of the arrival of the Swedes, and of their building their first fort. Minuit, according to Hawley's letter, arrived at Jamestown shortly after the 20th of March, 1638, bearing a commission from the "young Queen of Sweden;" he remained there ten days, and then sailed for the Delaware, where he was on the 28th of April, and even previously, for that was the date of the letter of Kieft to the company from Manhattan, before which time he must have been informed of the fact from Delaware, so that he probably arrived here early in, or about the middle of April, apparently for the purpose of refreshment, but he soon announced to Peter Mey, who was sent from Fort Nassau to see his

1638.

Minuit perseveres to complete the fort.

Letter from Director Kieft to the company, respecting Minuit's fort, and other proceedings. Gets all furs. He leaves there.

Fur trade destroyed by Swedes.

Conclusion as to the arrival of the Swedes.

¹ Albany Records, vol. ii. p. 7. Reg. Penns. vol. iv. p. 82. Breviat in Penn's Case, p. 35. Smith's N. Y. &c.

² Holl. Doc. vol. viii. p. 32—50.

³ Ibid.

1638. commission, that he intended to build a fort, against which the clerk of the fort (Nassau) is directed to protest. Minuit however proceeds, and on or about the 6th of May, Director Kieft formally protests, in which he notices the beginning to build the fort, which does not produce the effect of stopping his progress. Accordingly, on the 31st of July, we find by the letter of the director to the company, from Manhattan, that the fort had actually been built, and the Swedish arms raised; so that between April and July the Swedes arrive, and Fort Christina is built, having been, as was naturally to be expected, the first object of attention; and as all the early writers agree that this was the *first* fort erected by the Swedes, it seems to follow as a consequence that this must have been the period of their *first* settlement on the river. The vessels, too, had departed. We therefore assume it to be the fact. Peter Minuit, or Minnewit, as we have seen, was a Hollander, who first visited America as director of the West India Company, in 1624, and remained at Manhattan till 1633, when he took his departure for Holland. Becoming dissatisfied with the company, or, as is generally supposed, being dismissed for some reason from their service,¹ he went to Sweden, and offered his services to the Swedish government, or company,² which had been several years previously established for the purposes of trade and colonization, and which design was now about being carried into effect. The name of Usselinx, the original suggester of both the Dutch and Swedish companies, does not now appear in connection with it. Minuit's services are accepted, and under the favourable patronage of the queen, and her efficient minister, Oxenstiern, two vessels, a man-of-war named "Key of Calmar," and a tender, the "Griffin," amply furnished with suitable merchandise, and necessary provisions and ammunition, set sail late in 1637, or early in this year, destined to the South River, where, as we have seen, after touching for a short time at Jamestown, in Virginia, they safely arrived, during the month of April, 1638. It is said they first landed near Cape Henlopen, and from the beauty and apparent fertility of the country, they called it Paradise Point, now Mispillion Creek.

Arrival of
the Swedish
ships under
Minuit.

It is supposed that his company did not exceed fifty per-

¹ Bancroft, vol. ii. p. 250, 251. Reg. Penns. vol. iv. p. 374. O'Call. vol. i. p. 189.

² Holl. Doc. vol. viii. p. 32—50.

sons, of whom many are said to have been criminals, in accordance with the practice of the Swedish, as well as other governments, at that time, to transport convicts and labourers to the colonies, where they were sold or indented as servants.¹ His first interviews with the Dutch, after his arrival, and the interruptions to his schemes of trade with his sloop, up the river, by their Fort Nassau, have been already noticed above. He early proceeded to select a location for a fort. An Indian sachem named Matthehoorn, declared that "when Minuit came into the country with a ship, he remained lying before the Minquas kill, (or creek,²) near which, at that time, the sachem had a house, in which he lived. Minuit offered and gave him a kettle and other small articles, and requested of him as much ground as to enable him to put up a house, and also as much land as was contained within 'six trees,' which the sachem sold Minuit, who promised half the tobacco which would grow upon it, which, however, the sachem says he never gave him."³

1638.

Convicts and labourers in his company.

Minuit purchases of an Indian some land for a house and garden.

On this creek Minuit commenced and erected a fort and trading house, which, in honour of his queen, he called *Christina*. It was about five Dutch miles below Fort Nassau, on the west side of the river, and near the present Wilmington. It is described, in 1645,⁴ as being "about half a mile Dutch, or $2\frac{1}{2}$ miles English, within the creek, and nearly encircled by a marsh, except on the north-west side, where it can be approached by land; at its south-west it touches the kill." A late writer, well acquainted with that neighbourhood, supposes it to have been about two miles in the creek, "at the point long well known by the name of the Rocks, which here form a natural wharf of stone, at that time being one of the capes of Christina, and so called in the ancient records of the country."⁵ It is said the first colonists lived near together about this creek, and had their public worship in the fort there, afterwards constituting a town called "Christinaham."⁶

Fort Christina built. Its location described.

A church and town.

The Rev. Reorus Torkillus came over with Minuit, and was

¹ Acrelius, 408.

² Christina Creek was also called, by the Indians, Paghaghacking, and Hopokahacking; also, Suspecough. Campanius, Duponceau, &c., p. 79.

³ Translation of a Dutch note, in O'Call. vol. i. p. 190.

⁴ Hudde's Report, p. 428. See also description of it, by Acrelius, in note to Campanius, p. 85.

⁵ See Ferris, p. 42.

⁶ Ibid. p. 45.

1638. therefore the first Swedish clergyman; he died in four or five years after.¹

Swedes purchase lands from Cape Henlopen to falls at Trenton. Deeds and map in Sweden.

The Swedes, early after their arrival, purchased all the lands from Cape Henlopen to Santickan, (the falls at Trenton,) and then fixed up stakes and marks. The original deeds for these lands, with the marks of the Indians, were sent to Sweden, and preserved in the archives of Stockholm, where they, as well as a map of the country, made by Magnus Kling, their surveyor, were seen by Israel Helm, and a copy of the map made and brought over by a clergyman who arrived here in 1697.² It will be recollected that a portion of the land in this purchase had previously been sold by the natives to the Dutch patroons, and afterwards by them to the West India Company.

Minuit's departure. Was he not first governor of the Swedes?

By the extract above, under date of July 31, 1638, it appears that Minuit had "departed with the two vessels he had with him, leaving twenty-four men," &c. We are left to conjecture whither he went; it is said, by a late writer,³ "he went home;" if so, who did he leave in charge of the fort and men? did he again return? He has usually been considered the first governor of the Swedes, and Acrelius says he did a great service to the first Swedish colony. During *three years* he protected this small fort, (Christina,) which the Dutch never attempted; after some years he died there."⁴ Although considered by historians as the first governor of the Swedes, we believe no records of his official acts have reached us; yet next year the effects of the colony are complained of by the Dutch. But whoever was governor, the permanent settlement of the Swedes seems to have been maintained.

Settlement of New Haven commenced.

In this year, also, commenced the settlement of the town and colony of New Haven, from which a colony was attempted afterwards to be established on the Delaware.⁵

It appears from a long remonstrance of the commissioners of the Assembly of XIX., that infractions of the laws of trade, "by self-interested persons, in New Netherland, are complained of, and that great frauds in the fur trade are committed against the company," by embezzling and appro-

¹ Notes to Campanius, p. 109. Clay, p. 149.

² Rudman's Notes, in Clay, p. 17.

³ O'Call. vol. i. p. 190.

⁴ Acrelius, p. 410.

⁵ Professor Kingsley's Interesting Address, at the 200th Anniversary, 1838.

priating to their own profit and benefit the largest and choicest assortment of furs, far superior to those which have been negotiated for the company, shipping them clandestinely on board the company's vessels, to the exclusion of the company's cargoes, and those of the patroons, and even sometimes defrauding the company of the freight; exchanging too, "their worst skins for the best skins of the company, or at least purchasing the best for themselves and not for the company." They also complain of the expenses of fortifications, servants, and fitting out vessels, "through which the state of New Netherland is on the decline;" they therefore forbid all persons from freighting any wares or merchandise without the knowledge and consent of the company. A resolution is passed that "no person, for themselves or others, may trade in furs in any place, directly or indirectly," unless authorized, under penalty of "correction at discretion of the department, or director and council, and losing all their monthly wages." The director-general and council of New Netherland, and all other officers, are to see this executed, "without any connivance or compact," and "publish this command in all places, and affix it in all the colonies."¹

Jan Petersen, from Alfendolft, is mentioned as "*barber*," (as surgeons were then denominated,) on South River, at ten guilders per month, from 10th July, 1638.²

1638.

Frauds in the fur trade complained of by the Dutch Co. Dealing in furs prohibited without permission. June 7.

Barber employed on Delaware.

1639.

A judgment is obtained, before the authorities at Manhattan, against one Coinclisse, for wounding a soldier at Fort Amsterdam. He is condemned to serve the company, along with the blacks, to be sent by the first ship to South River, pay a fine to the fiscal, and damages to the wounded soldier.³ This seems to be the first intimation of blacks being in this part of the country.

February 3.

Convicts sent from Manhattan to Delaware.

Director Van Twiller having been charged, after Kieft's arrival, with mismanagement and neglect of the company's concerns; among other things, with expenditures at Fort Nassau; a witness by the name of Gillis Pietersen Vander Gouw, a carpenter, certifies that he aided in all buildings, &c., during Van Twiller's administration, at Manhattan, Fort

March 22.

Fort Nassau in a decayed state. Repairs, &c. Charge against Van Twiller.

¹ Albany Records, vol. ii. p. 10.

² Ibid.

³ Albany Records, quoted in the Breviat in Case of Penn and Lord Baltimore, p. 35.

1639. Orange, and at Fort Nassau, on the South River, where he assisted in the repair of the fort, "which was much decayed," and also in building "one large house in the fort." Another witness asserts he had in his custody for Van Twiller, at Forts Hope and Nassau, twenty-four to thirty goats, and that three negroes bought by the director in 1636 were since employed in his private service.¹

March 31.
Permits necessary between Manhattan and South River.

Several regulations were made by the Dutch respecting the trade on South River. It was prohibited to sell powder, balls, and guns to the Indians there, on pain of death. No person shall dare to sail with boats or any other vessel, to South River, except by a permit from the director-general, and on their return by a passport of the commissary there residing and representing the company. If any person is discovered to have been there without permit, vessel and cargo to be confiscated, besides a fine. Notice to be fixed up, so that none shall plead ignorance.²

October 2.
Complaints against the Swedes.
Loss of trade.

The directors complain that "Fort Nassau is a heavy burden to the company, as regards garrison, provisions, and the vessel; nor do we see any means to reduce it, owing to the Swede, who lies five miles from us, in our jurisdiction, although it is so well known that the mouth of the river, which we sealed with our blood, and took possession of below and above; they have, since they have been there, done about 30,000 florins' injury to our trade, and are doing it yet daily. Taking it for granted that they will break up, which they will be forced to do shortly, if they don't receive any succours, and we will not grant, (if we are powerful enough to prevent it,) that anybody establish himself in our limits, which we likewise ought to have done with those."³

Tribute from the Indians proposed.

Affairs at Manhattan, also, about this time, were discouraging, from their heavy expenses, &c., and they resolved to demand a tribute in maize, furs, or seawan,⁴ from the Indians, whom they had defended against their enemies.

Success of the Swedish trade.

The Swedes, notwithstanding the opposition of the Dutch, appear to have been very successful in their beaver trade, as it is said they exported 30,000 skins in the first year after their arrival, having managed, in their trade with the Indians, to undersell the Dutch.

¹ Albany Records, vol. i. p. 85.

² Ibid. vol. ii. p. 47.

³ Document from Director Kieft to the Co., Holl. Doc. vol. viii. p. 52, 53.

⁴ Albany Records, vol. ii. p. 65.

1640.

A vessel named *Fredenberg*, commanded by Captain Jacob Powelson, was despatched this year from Holland, under the sanction of the Swedes, by Mr. De Horst and others, as we learn from a passport given him, dated January 24, 1640, at Nykoping, in which it is said his vessel is "laden with men, cattle, and other things necessary for the cultivation of the country;" that Captain Powelson designs departing from *Holland* to America or the West Indies, and there establishing himself in the country called "New Sweden." He is commended to the kind attention of all monarchs and republics, or their officers and servants, to whom he may address himself; and it is requested of them, and commanded of Swedish subjects, that he and his vessels, and every thing on board, may be permitted, freely and without obstacle, to pass, and according to circumstances, to return to his country. Two other similar passports for vessels were at the same time furnished, blanks being left to be filled with the names of the captains and vessels.

January 24.
Passport or
sea letter to
Capt. Powel-
son, of ship
Fredonia,
going from
Holland to
New Sweden.

A letter of the same date, directed to the commandant or commissary, or *other inhabitants of Fort Christina*, in New Sweden, is furnished, in which it is mentioned that "we have granted and permitted to our very dear Gothart de Rehden, Mr. De Horst, and Fenland, &c., to send to New Sweden two or three vessels laden with men, cattle, and other things necessary for the cultivation of the country, to establish themselves on the north side of the South River, and to there found a colony." "We have accorded to them a grant and privilege, with several other rights. What we exact from you is, that you place no obstacle to their project, and moreover, for your own advantage and common safety, that you be with them on good terms." They mention also "their gracious intention of sending from *Gottenberg*, next spring, if it pleases God, one or two vessels, with all sorts of provisions, and to detail more fully to you our views and intentions, according to which you will have to conduct yourselves in both cases."

Letter to
commissary
or inhabi-
tants of
*Fort Chris-
tina*, in fa-
vour of a
company of
adventurers
to New Swe-
den.

Both these documents are signed by the two Oxenstierns, and several other officers.

These vessels probably arrived during the spring, and very

1640.

seasonably for the relief of the Swedish colony, which had preceded them under Minuit.¹

It appears that the privileges at first intended for Mr. De Horst, for some reason not assigned, were transferred to Henry Hockhammer, and are as follows.

Grant and
privileges to
Henry Hock-
hammer to
establish a
colony in
New Sweden.

The following is a summary of the conditions of the grant and privilege alluded to above, to Henry Hockhammer and Co., they "having the intention of establishing a new colony in New Sweden:"

1st. Permission to cause to depart from Holland, at their expense, under our royal protection, and in our name, two or three vessels, with men, cattle, and other necessities, for the purpose of landing them *below Fort Christina*, on the north side of South River, and there take up as much land on both sides of the river as is necessary for their purposes, to place it under actual cultivation in ten years, and to be at least four to five German miles from Fort Christina. 2d. If the land first chosen does not suit them, they may choose another situation, with the consent of the crown, or that of our governor in that country, so that no person may receive damage. 3d. The possession of all they may thus occupy is guaranteed, by royal authority, to them and their descendants, and shall never be taken away. 4th. All within their districts, whether "fruit of the surface, minerals, springs, rivers, woods, forests, fish, chase, even of birds, the establishments upon water, windmills, and every advantage and utility which they find established, or may establish," shall remain to them and descendants as "allodial and hereditary property," they only to pay to the crown and successors, as an acknowledgment of sovereignty, per annum, three florins for each family established in their territory. 5th. The right of exercising in their district high and low justice, of founding there cities, villages, and communities, with a certain police, statutes, and ordinances, to appoint magistrates and officers, to take the title and arms of their colony or province, "it being understood that they and their descendants shall receive of us and

¹ These documents, with several others which will follow, were furnished by Jonathan Russel, while minister to Sweden, to the American Philosophical Society of this city, and may be found at length in Reg. of Penns. vol. iv. p. 179. The dates are those given in the documents, which we suppose to be the true ones, from the reference made to the arrival in the Holland extracts hereafter furnished. A late writer places the arrival as in 1641, which would be correct, if the dates are O. S.

our successors, that jurisdiction, and these royal rights, as an hereditary fief, and that they must conform themselves, in this case, to all which concerns the ordinary justice of fiefs." 1640.

6th. The statutes and ordinances which they intend to establish, to be communicated to the governor for approbation and confirmation, in order to discuss and execute with him in all which may most contribute to the advantage and welfare of the whole country. 7th. "As regards *religion*, we are willing to permit that, besides the Augsburg Confession, the exercise of the pretended reformed religion may be established and observed in that country, in such manner, however, that those who profess the one or the other religion live in peace, abstaining from every useless dispute, from all scandal and all abuse. The patrons of this colony shall be obliged to support, at all times, as many ministers and schoolmasters as the number of inhabitants shall seem to require, and to choose, moreover, for this purpose, persons who have at heart the conversion of the pagan inhabitants to Christianity." 8th. They may establish all sorts of manufactures and industry; engage in all commerce, in and out of the country, with the coast of the West Indies and Africa, belonging to friendly powers, but only with vessels and yachts built in New Sweden, under promise of the government's assistance. 9th. The depôt for all merchandise caused to be transported from New Sweden to the countries of Europe, shall be Gottenberg, not requiring the merchants to pass the Sound if they wish to go to some other part of the kingdom. They shall not enter foreign ports not dependent on the crown of Sweden, except in case of necessity, and then proceed to Gottenberg, there to show the reasons which compelled them to enter a foreign port, to pay duty on the merchandise which they have sold elsewhere, and to equip their vessels anew. "And we wish that all shall conduct themselves in such a manner that there accrue no damage to the revenue heretofore granted and made to the commercial company of New Sweden, to which they must conform themselves." 10th. To be exempt for ten years, "from all impost, duty, excise, and every other contribution and charge, whether real or personal, of whatever name, except as mentioned in 4th article, "the three florins on goods and merchandise transported into our states," which, if exported again, shall be free of duties

Grant to
Henry Hock-
hammer
continued.

Liberal pro-
vision for
religion and
education.

1640.

Grant to
Henry Hock-
hammer
continued.

of custom-house usual in the kingdom, besides enjoying all the privileges granted to our other subjects. 11th. At the end of ten years, what has been decreed in preceding article, respecting customs, shall remain in force, "and at the same time they shall pay, in New Sweden, five per cent. on all goods which they shall enter there or carry away," and contribute to the pay of officers and support of fortresses, as time and circumstances may require, for the sake of security and peace. 12th. It is desired that no person shall be permitted to take any man or woman, domestic or servant, from the service of the master before the term is ended, nor employ any such, without the express permission of the master or governor, who is required to support the master in his rights. 13th. Permission is granted to the above masters of vessels "to send everywhere in the ocean for fish, their vessels built in New Sweden," and to send their fish to all parts of the West Indies, within the Straits of Gibraltar or Mediterranean, it being first declared and registered by our agents that the customs are paid, without fraud, and observing "exactly" the requirements in the 9th article respecting the depôt of Gottenberg. 14th. If they or their descendants discover minerals, precious stones, coral, crystals, marble, a pearl fishery, occasions for making salt, &c., they are at liberty to work them for ten years, without charge, with consent of "*our governor*." After ten years, they shall have preference, upon paying a certain annual sum, to be determined. 15th. The government promises general protection against all attacks, and to their interests, as those of other subjects. 16th. It expects from them, in return, their services in promoting the welfare of the republic, and aid in case of war, though the government desires to exempt them from enrolments and compulsory military service. 17th. Property in New Sweden to be exempt from confiscation; and fines, whatever be the offence, not to exceed 100 florins of the empire, or 40 rix dollars, the government reserving to itself every other species of punishment, according to the offence. 18th. And as the company "think of transporting thither, in a few years," more men and beasts, and other things necessary for the cultivation of the earth, building of houses and founding a city, they are permitted so to do, at several different times, from Holland, each time, however, with the knowledge

of the government, "as always the equipments were ordinarily made at Gottenberg."¹ 1640.

This company appears to partake much of the character of the Swedish West India Company, and to be independent of the colony left by Minuit. A governor is, however, mentioned several times. They had probably one of their own, though from the expression "our governor in that country," being used once or twice, it would appear that the Swedish government had a governor-general there.

It appears by the following document, that one Jost de Bogardt received a commission for an office in New Sweden, the precise nature of which is not very clear, perhaps to act as special governor to these Hollanders. In subsequent instructions to Governor Printz, he is spoken of as their commandant, and they as under the protection of the crown of Sweden;² by Acrelius, under the name of *Boyandh*, as chief or municipal director, and by Plantagenet, as "one Bogot, under the Swedish name and commission."³ The following is all that we know respecting his duties and pay.

"Jost de Bogardt, having taken upon himself, and having promised to assist, as much as in his power, by his direction and exertions, our subjects at Christina, and the people whom we may send there in future, to employ all his care on the different occasions which present for promoting our advantage and that of the crown of Sweden, as also to instruct us exactly on every occasion, in every thing which it is important we should know, and to execute faithfully our orders, an annual compensation is secured to him from the present time, of 500 florins, or 200 rix dollars, to be remitted to his banker in Holland, by our resident Spiring, or other charge d'affaires whom we may then have in Holland," with the promise of an increase of his annual salary of 100 florins, "if in future we have new proofs of his attachment, and of his zeal to promote our welfare and that of our crown," and "moreover, according to circumstances, to recompense him in a royal manner."

Appoint-
ment of
Jost de Bo-
gardt, and
his salary.

A counter obligation is given by him on the same date, recapitulating the foregoing, and engaging faithfully to discharge his duties.⁴

¹ Swedish Documents in Reg. of Penns. vol. iv. p. 178.

² MSS. A. P. S. Reg. of Penns. vol. iv. p. 220. ³ Acrel. 411. Ployden.

⁴ MSS. A. P. S. Reg. of Penns. vol. iv. pp. 177, 178.

1640.

February 1.
Guaranty to
be taken
from Hock-
hammer, &c.

It appears by a letter addressed by the Swedish government "to the resident, Peter Spiring, on account of the privilege granted to the people of Utrecht," dated February 1, that after completing the grant and privilege to Rhedere, De Horst, Vreeland, &c., according to the preceding abstract, it occurred to them that they had neglected to receive from them "for guaranty, a counter-obligation, which it is absolutely necessary they should give us. This is sent in form to Spiring, with instructions to have it completed, and "more-over, to endeavour that the words 'so far as regards the state of New Sweden' be excluded, more especially as their new obligation, even without that, signifies no other thing, as their other obligations and duties towards their country remain in full force." In case of their refusal, it is left to Spiring's discretion to make the best arrangement that he can, "so that the vessel be despatched with the greatest diligence possible."¹

Hogs stolen
by persons
going to the
Delaware.

Some of the Dutch West India Company's servants landed about this time on Staten Island, to take in water, on their way to South River. Before they reembarked, they stole some hogs belonging to their employers and to Captain De Vries, who then had an infant settlement in that island. The blame was laid on the Indians who lived on Raritan. This led to very serious consequences there.²

Fortunate
arrival of
Swedish ves-
sel.

The Swedes were so much discouraged at this period, that, according to the Dutch statements, they had fixed upon a certain day for their departure, when fortunately for them a vessel arrived, by which they were strengthened; but the trade of the Dutch, according to their own statements, was "entirely ruined."

It is probable the vessel here referred to as arriving so opportunely for the Swedes, was one of the vessels under command of Captain Powelson, which sailed from Sweden in January or early in February.

Letter from
Kieft.
Swedes
ready to de-
part. Are
relieved by
arrival of a
vessel.
May 1.

On the 1st of May, 1640, Director Kieft, writing to the directors, says, "The Swedes on the Delaware were resolved to break up, and to come here, (Manhattan,) but the day before their intended departure, there arrived a vessel, by which they were strengthened, having caused the company great injury, and still do so, the trade being entirely ruined."

¹ Swedish MSS. in Reg. of Penns. vol. iv. p. 200.

² O'Call. vol. i. p. 226.

And on the 15th October, 1640, he further says, "The Swedes near the Delaware last spring got a vessel, with a cargo and a reinforcement of people, otherwise it had been arranged for them to come here, (to Manhattan.) We shall treat the Swedes with every politeness, although they commenced with many hostilities forcibly to build, attack our fort, trading, threatening to take our boats, &c."¹ 1640.

Another to
same effect.
October 15.

The Swedes here alluded to, as being in so desperate a condition, must be those of the colony left by Minuit.

It is said that in this vessel arrived Peter Hollandaer, who is afterwards mentioned as Minuit's successor.²

Arrival of P.
Hollandaer.

About this period commence the attempts of the English to make settlements on the Delaware. We are left to almost as much uncertainty respecting their operations, as to those of the other nations which preceded them. After a diligent search among the ancient records of New England, we can collect but little definite information on the subject, except that they did make several attempts; that they purchased land and met with ill treatment both from the Dutch and Swedes. Nothing seems to be known respecting them, and no traces left where they are said at first to have settled; we shall therefore be compelled to throw what light we can upon it, as it gleams through existing records and occasional notices of authors. The earliest is found in the records of the United Colonies, in a long presentation of their grievances, submitted to the Dutch in 1653.

The English
first appear
on the Dela-
ware.

They say, "in the year 1640, the English at New Haven sent men to view and purchase part of Delaware Bay, but with express direction not to meddle with any thing the Dutch or Swedes had right unto. As the English vessel passed by the Manhatoes, Monsieur Kieft made a protest, but on information of the order given, he was satisfied, and wrote to John Johnson, the Dutch agent at Delaware, to hold good correspondence with the English there, which accordingly he did at first, and showed them how far the Dutch and Swedes' title or claim reached; the rest he told them was free for them to purchase, and offered his assistance therein, which offer, (though kindly accepted,) was not entertained; but the Indians being free, the English agents, at several times, from the several proprietors purchased large tracts of land on both

Kieft pro-
tests against
the English,
but allows
them to pro-
ceed. Kind
reception by
Jan Jansen
at first.

Afterwards
opposes the
English, but
they make a
purchase.

¹ Holl. Doc. vol. viii. p. 53, 54.

² O'Call. vol. i. p. 365.

1640. sides of Delaware Bay and River, and began to plant and to set up houses for trade within their own limits."¹

Captain Turner, for New Haven, makes a purchase.

Trumbull, in his History of Connecticut, says, "A large purchase, sufficient for a number of plantations, was made by Captain Turner, agent for New Haven, on both sides Delaware Bay and River. This purchase was made with a view to trade, and for the settlement of churches in gospel order and purity."²

1641.

Vessel sails from New Haven to Delaware.

Early in this year, it is believed, an effort was made to settle upon the lands purchased by Captain Turner at Delaware. A "barque or catch" appears to have been fitted out from New Haven by a Mr. Lamberton, under the command of Robert Cogswell. Having reached Fort Amsterdam, the Director Kieft became apprized of their intention of proceeding to Delaware with a view to a settlement there, and fearing an interference with the settlements of the Dutch, he resorted to a formal protest, in the following words:

April 8.
Gov. Kieft protests against R. Cogswell, master of Lamberton's vessel.

"I, William Kieft, director-general, &c., make known to you, Robert Cogswell and your associates, not to build nor plant on the South River, lying within the limits of New Netherlands, nor on the lands extending along there, as lawfully belonging to us, by our possessing the same long years ago, before it was frequented by any Christians, as appears by our forts which we have thereon; and also the mouth of the rivers sealed with our blood, and the soil itself, most of which has been purchased and paid for by us, unless you will settle under the States and the noble West India Company, and swear allegiance and become subject to them, as the other inhabitants have done. Failing whereof, we protest against all damages and losses which may accrue therefrom, and desire to be holden innocent thereof."³

English proceed to settle on Delaware.

Notwithstanding this protest, the English proceeded to the South River, having assured the governor that it was not their intention to interfere with any settlements already made, or if none could be found free from claims, they would return. They very soon made purchases on both sides, com-

¹ Records of the United Colonies, in Hazard's Hist. Coll. vol. ii. p. 213.

² Trumbull, vol. i. p. 116.

³ Holl. Doc. vol. ix. p. 205, in O'Call. vol. i. p. 232, whose date we follow, he having reference to the original document; but this, or a similar protest, is referred to as April 9, 1642, in Hazard's Hist. Coll. vol. ii. p. 265.

menced erecting trading-houses on Varkin's or Farkin's kill, near the present Salem, N. J., and probably on the Schuyl-kill. The first is expressly alluded to in the instructions to the Swedish governor in next year, which mention the settlement of about sixty persons there, and their having built houses on the east side, and cultivated the earth in other places.¹ Winthrop also says, "a plantation was begun at Delaware Bay by those of New Haven, and some twenty families are transported thither."

1641.

The following minute is on record, and probably alludes to the purchase made last year by Captain Turner, and that he now proposes to pay Delaware a second visit.

6th mo. 30th.
(August?)

"At a general court held at New Haven, 30th of the sixth month, (August,) 1641.

"Whereas there was a purchase made by some particular persons, of sundry plantations in Delaware Bay, at their own charge, for the advancement of public good, as in a way of trade, so also for the settling of churches and plantations in those parts, in combination with this; and thereupon it was propounded to the general court, whether plantations should be settled in Delaware Bay in combination with this town, yea or nay; and upon consideration and debate, it was assented unto by the court, and expressed by holding up of hands."

Previous
purchases of
Delaware
Bay alluded
to.

"So far as Captain Turner hath reference to the civil state, and employed therein, provided that his place be supplied in his absence, the court hath given free liberty to him to go to Delaware Bay for his own advantage, and the public good, in settling the affairs thereof."

Captain Turner
authorized to go to
Delaware,
finding a
substitute in
the office he
held.

"It is ordered that those to whom the affairs of the town is committed, shall dispose of all the affairs of Delaware Bay according to the intent of the agreement² for combination with this town, in settling plantations, and admitting planters to sit down there."³

The town of-
ficers to su-
perintend
affairs of
Delaware
Bay.

This year, according to Acrelius, and all others who have succeeded him, died Peter Minuit, the conductor of the first Swedish colony to this river, in 1638, and the reputed first governor. He was buried at Christina.⁴ We have already

Reputed
death and
burial of
Minuit.

¹ Reg. Penns. vol. iv. p. 219.

² This agreement does not appear on the records.

³ New Haven Court Rec. vol. i. p. 46.

⁴ Acrelius, p. 410, 412. Ferris, &c. p. 57.

1641. given, as we proceeded, all that is now known of Minuit and his public acts. The fact of his departure, ascertained by later documents, has rendered somewhat unsettled the statements heretofore made respecting him, and relied upon with so much confidence. Mounce Kling is said to have acted as deputy under him.¹ Here we must leave the matter for future research.

Minuit's
successor,
P. Hollan-
daer.

Minuit is said to have been succeeded by Pèter Hollandaer, whose arrival has already been noticed, and who continued in office for about eighteen months. Of him and his acts less is perhaps known than of his predecessor; he is reported to have returned to Sweden.²

1642.

March 27.
New Haven
people re-
move to Dela-
ware.
Purchases
effected
through the
influence of
a Pequot
sachem.

“The New Haven people, (being Londoners, chiefly unskilled in husbandry, and unable to bear labour, their estates wasted, servants scarce and high,) they inclined to look out, and so to settle themselves elsewhere more commodious for their subsistence, and with them also joined a great part of the other plantations of their union, partly from their love and desire to be together, and partly stimulated by some like reasons among themselves. They made once and again attempts at Delaware, where they had purchased large tracts of land, but were prevented by injuries from the Dutch, or one means or another.” “Righteousness exalteth a nation, and maketh them honourable even in sight of the very heathen, as was manifest at this time amongst the Indians, in the observation of the proceedings of the English, for in this year, those of New Haven intending a plantation at Delaware, sent some men to purchase a large portion of land from the Indians there, but they refused to deal with them; it so fell out that a Pequot sachem, who had fled his country in the time of the wars with them, and seated himself there upon that river, was accidentally present at that time, and taking notice of the English, and their desire, persuaded the other sachem to deal with them, and told him, that however they had killed his countrymen, and driven him out, yet they were honest men, and had just cause to do what they did, for the Pequots, he owned, had done them wrong, and refused to give them the reasonable satisfaction which was

¹ Acrelius, p. 410. O'Call. vol. i. p. 366.

² Acrelius, &c. p. 410.

demand; whereupon the sachem entertained them, and let them have what land they desired."¹ 1642.

The director-general and council "having received unquestionable information that some English had the audacity to land in the South River, opposite to our Fort Nassau, where they made a beginning of settling on the Schuylkill, without any commission of a potentate, which is an affair of ominous consequence, disrespectful to their High Mightinesses, and injurious to the interests of the West India Company, as by it their commerce on the South River might be eventually ruined;" resolved, "that it is our duty to drive these English from thence, in the best manner possible."

May 15.

Settlement
of English
on Schuyl-
kill.Resolution of
the Dutch.

Accordingly, on the 22d, they issued the following instructions to Jan Jansen Van Ilpendam, the commissary on South River, viz. May 22.

"As soon as the yachts Real and St. Martin shall have arrived there, he, Jan Jansen Van Ilpendam, shall embark on either of the two yachts, or, if he thinks it best, with both, assisted with such a body of men as he can collect together, and proceed towards the Schuylkill, disembark there directly, and require from the English to show him by what authority they acted, and how they dared to make such an encroachment upon our rights and privileges, our territory and commerce; and if they can show no authority or royal commission to settle within our limits, or an authentic copy of such a commission, then to compel them to depart directly in peace, to prevent effusion of blood. If they will not listen or submit, then to secure their persons, and conduct them to the yacht, that they may be brought hither. Be in every respect on your guard, that you remain master, and are not surprised, and maintain the reputation of their High Mightinesses and the noble directors of the West India Company. If the English leave the spot, or make their escape, then you must destroy their improvements, and level those on the spot. While you, Jan Jansen Van Ilpendam, shall take care that the English are not injured in their personal property, but that there be made in their presence an accurate inventory of the whole."²

Instructions
to J. J. Van
Ilpendam,
who is sent
to Delaware
with two
vessels, to
drive out the
English.

These English are said, by some, to have been Mary-

¹ Hubbard's N. E. in Mass. Hist. Soc. Coll. vol. vi. 2d series, pp. 326, 381.
Hazard's Hist. Coll. vol. ii. p. 164. Winthrop, vol. ii. p. 62.

² Albany Records, vol. ii. pp. 162, 164, 165.

1642. landers,¹ and that they were driven off. Bozman, the historian of Maryland, says, "our records make no mention of this attempt by the inhabitants of Maryland to form, at this time, any settlements on the Schuylkill."² They were most probably a part of the New Haven Company.

August.
Conduct of
the Dutch to
the English.

Notwithstanding the purchases of the English on both sides of the river, to which, as they affirm, neither the Dutch nor Swedes had any just title, Governor Kieft, without protest or warning, sent armed men, and "by force, in a hostile way, burnt their trading house, seized, and for some time detained, the goods in it, not suffering their servants so much as to take a just inventory of them. He there also seized their boat, and for a while kept their men prisoners, for which treatment they could not, up to 1650, get any satisfaction. The Dutch governor sent armed vessels to Delaware to seize Mr. Lambertson's vessel, or drive him out of the river," but being on his guard, he at that time maintained the right and honour of the English. As he was returning from Delaware, the Dutch governor at Manhattan compelled Mr. Lambertson, who was the agent of New Haven, "by threatenings and force," to give an account of what beaver he had traded for within the English limits at Delaware, and pay recognitions for them, against which a protest sent from New Haven was of no avail." The damages done to the English at Delaware were estimated at £100 sterling.³

Great sickness and mortality prevailed among the settlers of last year upon Delaware, which dissolved "the plantation. The same sickness and mortality befell the Swedes also, who were planted in the same river. The English were afterwards driven out by the Swedes."⁴

Gov. Printz
appointed.

However uncertain may have been our knowledge heretofore, of the executive operations of the Swedes since the departure of Minuit, there is now no longer any doubt upon the subject. In the latter end of the year, John Printz, a lieutenant of cavalry, is appointed governor, receives his commission and instructions, and early in next year arrives in the Delaware. Of both documents we now proceed to

¹ Smith's N. Y. vol. i. p. 6.

² Bozman's Md. p. 207; edit. 1837.

³ Hazard's Hist. Coll. vol. ii. pp. 164, 214. Trumbull's Conn. vol. i. p. 120. Smith's N. Y. Albany Records, vol. ii. p. 177, 185.

⁴ Winthrop, vol. ii. p. 76. Hubbard.

give an abstract. The commission, though latest as to date, is given first. 1642.

John Printz, lieutenant of cavalry, is appointed by Christina, queen of Sweden, governor of New Sweden. His commission is dated 16th, although his instructions are on the 15th August. It commences by stating that "our faithful subjects having commenced visiting the West Indies, and having purchased in form, and already occupied a considerable part of that country, which they have named New Sweden, in consequence,—as their laudable project, the navigation which they have undertaken, and the cultivation which they are disposed to make, cannot but increase and facilitate commerce,—to give them more vigour and extent, not only have we approved their design, and taken the country and its inhabitants under our royal protection, but again to favour and strengthen the work which they have commenced, we have given to the country and inhabitants, our subjects, a governor, and have named, as we do here, by virtue of this letter-patent, our very faithful subject, the above named lieutenant of cavalry, John Printz, for governor of New Sweden. He engages to administer and govern said country, and to defend its inhabitants against all violence and foreign attachment, and to preserve, above all, that country in safe and faithful hands. He must preserve amity, good neighbourhood, and correspondence with foreigners, with those who depend on his government and the natives of the country; render justice without distinction, so that there shall be injury to no one. If any person behave himself grossly, he must punish him in a convenient manner; and as regards the cultivation of the country, he must in a liberal manner regulate and continue it, so that the inhabitants may derive from it their honest support, and even that commerce may receive from it a sensible increase. As to himself, he will so conduct in his government as to be willing and able faithfully to answer for it before God, before us, and every brave Swede, regulating himself by the instructions given to him." The inhabitants are required to acknowledge and obey him as governor.¹

The following is an abstract of the instructions to Governor Printz. After enumerating the advantages expected to result from the "conquering and purchasing the territory of New Sweden, and the extension of commerce thereby," it is stated

¹ MS. Doc. A. P. S., Reg. of Penns. vol. iv. p. 200.

August 16.
Appointment of
Gov. Printz.
His commission.
General duties.

August 15.
Instructions to Governor
Printz.

1642. that "for this laudable end," two vessels to make the voyage have been furnished, named the "Stork" and the "Renown," under the orders of a governor, whom "her majesty has provided with full, convenient and sufficient power," and the vessels, "with other necessary resources."

Must proceed to Gottenberg to prepare for departure.

The governor must first, without delay, proceed by land to Gottenberg, whither the vessels have sailed. On his arrival there, he must aid in disposing and arranging every thing according to the regulations of the company, in such manner as to be at sea in September next.

Determine on his route according to the wind.

Before, or as soon as the vessels leave Gottenberg, he, with the captain and his council, "should deliberate upon the nature of the wind, and other circumstances, and decide whether to direct his course to the north of Scotland, or through the channel between France and England."

Have supervision of the captain and crew. Keep journal, &c.

During the passage he is to see that the captain and crew discharge their duties "with fidelity and exactness," and in "all occurrences of importance, and which merit reflection, he must ask the advice of the captain and council, must keep a journal, noting every thing worthy of remark, and send a copy of it back."

On arrival, to see the contracts for purchases faithfully executed. Bounds described.

When (should it please God) the governor arrives at New Sweden, he is to take care that the frontiers of the country, according to the contract made by the subjects with the savages, "extends from the borders of the sea to Cape Henlopen, in returning south-west towards Godyn's Bay, and thence towards the great South River, as far as Minquas kill, where is constructed Fort Christina, and from thence again towards South River, and the whole to a place which the savages call Sankikan, which is at the same time the place where are the limits of New Sweden. This district or extent of country may be in length about thirty German miles; as to width in the interior, it has been stipulated in the contracts, that the subjects of her majesty and company may take as much of the country as they wish."

English settlement at Varkens kill.

"Seeing that in the year preceding, (1641,) several English families, to the number of sixty persons, established themselves, and began to build houses and cultivate the earth, in other places, viz. on the eastern side of South River, near a small river called Ferkens kill, the subjects and company have, with the intention of attracting to them the English, bought from the savages who inhabited the country, all the

said western part, (eastern?) from the mouth of the great river to Cape May, and even to another small river, Narratissenks kill, the whole extending about twelve German miles, comprising therein even Ferkens kill, above mentioned; the governor ought to maintain this contract of purchase inviolable, and with force, and thus to attract these English families under the authority and power of her majesty; she suggests that these people are disposed to submit as a free people to a sovereign who can protect and defend them, and advises a conciliatory course; "yet as her majesty judges it will be better and more advantageous for Sweden, for the crown, and for those interested, to be able to disembarass themselves of it honestly, she leaves it to the governor's discretion, to endeavour to obtain this point, and for it to work underhand as much as possible, with good manners and with success." As the Dutch West India Company undoubtedly wishes to appropriate to itself the lands possessed by the English, and certainly also all the eastern part of the great South River, (especially as their fort or redoubt Nassau, now occupied by about twenty men, is not very far from the eastern side of this river;) and since they make no pretensions to all the western part, of which the Swedes are in possession, imagining by their Fort Nassau they have acquired and reserved the possession of all said river, and the country on both sides, for which reason they have protested against the Swedish subjects, and have never been willing to permit or grant them to ascend before Fort Nassau, the governor will comport himself towards the Dutch Company with mildness and moderation, as the Swedes, only seeking to open a free communication for commerce, had bought from the natives that which they possessed and cultivate. If, however, the Dutch, contrary to all hope, show any hostile intentions, "it would be very proper to be on your guard, and repel force by force:" at so great a distance, the government leaves it much to the governor's discretion. If, however, the Dutch do not trouble us in our possessions, "the governor must maintain amity and good neighbourhood with the Dutch of Fort Nassau, and those established higher up the North River, at Manhattan or New Amsterdam, and likewise with the English who inhabit Virginia, especially because the latter have already begun to procure for the Swedes all sorts of necessary provisions, and at reasonable prices, both for cattle and grain."

1642.

Conciliatory
conduct to
be observed
towards the
English.

Fort Nassau
occupied by
twenty men.

Course of
conduct to-
wards Dutch
according to
circum-
stances.
Also to Eng-
lish in Vir-
ginia.

1642.

Directions in
relation to
Bogardt's
colony.

As to those of the Dutch nation who have gone to New Sweden, and are there established under Swedish protection, and under Commandant Jost de Bogardt, the governor must show them all good will, seeing that they comply with the conditions stipulated, and also obey the orders signified to them this year; that being established too near to Fort Christina, (report says only three miles distant,) they must abandon it, and occupy a place more distant from the fort; but the governor may remove them, or suffer them to remain, as he finds expedient.

The savages
to be treated
with kind-
ness, and
their favour
courted.

With regard to the savages, the governor is to treat them with humanity and mildness, and see that neither violence nor injustice is done them, but "must labour to instruct them in the Christian religion, and the divine service, and civilize them. He must bring them to believe that the Swedes have not come there to do them injustice, but rather to procure them what they need, in order to live reciprocally in common, and sell and exchange provisions. The governor must sell to them at lower prices than the Dutch at Fort Nassau, or the English, so as by this means to disengage them from these people, and accustom them more to the Swedes."

Internal
regulations.

Having thus summarily disposed of the Dutch, English, and savages, the instructions enter upon matters of internal regulation.

Governor to
choose his
place of resi-
dence; also
for fortifica-
tions and
a fort.

The governor may choose his place of residence where he finds most convenient; he will choose a place suitable for fortifications, either at Cape Henlopen or at "James's Island,"¹ or any other favourable position. He must pay particular attention, that by such a fortress the South River "may be shut," if it is possible, or commanded by it, and find a convenient port where vessels may be safe, even in winter.

If Christina
is sufficient,
must attend
to agricul-
ture, &c.

If, however, he can protect himself with Fort Christina, he ought to turn his attention especially to agriculture, sowing enough grain for their support. He may then attend to the culture of tobacco, and allot to it a certain number of labourers, to increase the quantity, and that all vessels may bring back a great portion of it. Sheep and cattle are next to claim his attention, especially to improving the breeds of sheep, by procuring from the English or others, and increasing the number.

In order to support, in good condition, the trade in peltries

¹ A part of Camden was formerly an island and so called. See Mickle, p. 85.

with the Indians, he must have an inspection, establish commissaries to prevent others from trading with them, that it may be exclusively for the company. 1642.

It is supposed, from the climate being the same as Portugal, that manufactures of salt may be established; if the heat of the sun is not sufficient, use fire. It should have the governor's attention, as also should the culture of the vine, as grapes are everywhere found wild. Manufacture of salt.

Recommends examination for metals and minerals; if any are found, send home a particular account, and wait for orders. Mines and minerals.

Must reflect on what can be done with the superfluous wood, especially oak and nut trees; from the latter try if oil cannot be procured by pressure; wood may answer as ballast. Superfluous wood. Oil from nuts.

Fisheries are next noticed. Inquire where they can be established to advantage, especially for whales, which are at times numerous in Godyn's Bay. Fisheries.

Silk and silk worms may be produced to advantage. The good culture of the country generally is specially recommended. Silk worms and silk.

"But above all, whatever regards the police, government and justice, must be done in the name of her majesty. Detailed and perfect instruction cannot be given, therefore it is left to the discretion of the governor, according to circumstances. For the present he may use his own seal, but with great form, in all the contracts and correspondence." Police, government and justice. May use his own seal.

All controversies to be decided by the laws, customs, and usages of Sweden, and in other things he will "adopt and follow the laudable manners, customs, and usages of Sweden." Laws, customs, and usages of Sweden to prevail.

He has power to bring to obedience and order the mutinous and refractory, who will not live in peace; he may punish great offenders by imprisonment, and even with death, according to the crime, after legal forms and sufficient examination by the most noted persons, such as the most prudent assessors of justice that he can find and consult in the country. Crimes and punishments.

"Before all, the governor must labour and watch that he renders in all things to ALMIGHTY GOD the true worship which is his due, the glory, the praise, and the homage that belongs to him, and take good measures that the divine service is performed according to the true Confession of Augsburg, the council of Upsal, and the ceremonies of the Swedish church, having care that all men, and especially the youth, be well Worship of God to be according to Augsburg Confession.

1642. instructed in all the parts of Christianity, and that a good ecclesiastical discipline be observed and maintained. With respect to the Dutch colony which resides and is established in the country of her majesty and of the crown, the governor must not disturb what has been obtained in the aforesaid grant of her majesty, with regard to the exercise of the reformed religion."

Dutch to enjoy their own worship.

Things not mentioned above.

As to what cannot be here written, the governor must comport as a faithful patriot, and observe with the greatest care, best intelligence, and great zeal, all that concerns his charge, regulating himself also by what has been verbally communicated.

Governor appointed for three years.

The governor is appointed for three years, after which he may return, leaving a successor or viceroy in his place, or he may be reappointed.¹

Gov. Printz's salary.

A special order was passed, allowing Governor Printz "an annual support and compensation, as long as he shall remain in service in the country, 1200 silver dollars to be drawn regularly from the existing revenue, or which shall be regulated hereafter, to commence January 1, 1643.²

August 16. Departure for, and arrival at Delaware.

Governor Printz sailed from Stockholm, with the ships Fame and Stork, and after a passage of one hundred and fifty days, arrived in the Delaware in February of next year.

August 30. Expenses of government of New Sweden. How provided for.

The government furnished Governor Printz soldiers and officers to assist him in the discharge of his duties, and passed an order on the counsellors of the kingdom, requiring them to provide for the regular payment of the expenses of the government of New Sweden, amounting to 3020 rix dollars per annum, viz. governor, 1200 silver, or 800 rix, half silver and half excise; lieutenant-governor, 16 rix dollars per month; one sergeant major, 10; one corporal, 6; one gunner, 8; one trumpeter, 6; one drummer, 5; twenty-four soldiers at 4; one paymaster, 10; one secretary, 8; one barber, (probably surgeon,) 10; one provost, 6, and one —, 4; making 185 rix dollars per month, or 3020 rix dollars per annum, viz. 400 rix or 600 silver, and in excise on tobacco coming from New Sweden, 2620 rix dollars. An ordinance was, about the same time passed, decreeing and assigning for the state and support of the government of New Sweden, of the

¹ MSS. A. P. S., Reg. of Penns. p. 219, in detail.

² Ibid. p. 200.

garrison under its orders, and others in its employ, 2,000,619 rix dollars, to be collected each year from the excises upon tobacco.¹ 1642.

1643.

Governor Printz, as we have seen, left Stockholm, "in the Lord's name," August 16th of last year, and arrived here in February of this year. Rev. John Campanius, who accompanied him as chaplain, has left us an account of their voyage, which may furnish some idea of the tediousness of a passage at that time. They sailed in the ship *Fame*;² after touching at Dahlehamn, Copenhagen, and Helsingör, they reached Gottenberg on 12th of September: on the 1st of November they took their departure from Gottenberg; on the 21st they were sailing along the coast of Portugal, "where the crew performed the ceremony of tropical baptism." On the 26th they sailed along the coast of Barbary; on the 28th they were half way between Old and New Sweden; they passed the Canaries, and on 20th of December arrived at Antigua, where they spent the Christmas holidays, and were well entertained at the governor's house. On the 3d of January, 1643, they left Antigua, passing numerous islands. On the 24th they made soundings, and on the 25th began to see land. Having had severe storms, with snow, on the 26th and 27th, when, being in the bay off the Whorekills, they lost three anchors, a spritsail, and mainmast; the ship ran aground, and lost some of her "apparel." On the 15th of February, "by God's grace," they "came up to Fort Christina, in New Sweden, Virginia, at 2 o'clock, P. M.," being five months, or 150 days, from their leaving Stockholm.³

At the time of Governor Printz's arrival, he found here Dutch, English, and Swedes, all professing to have claims upon the river and country; his situation, therefore, required great caution as well as energy, as all his movements would be closely watched, and any encroachments on preconceived

¹ MSS. A. P. S., Reg. Penns. vol. iv. p. 314. Ibid. 373.

² In the instructions to Printz, two vessels are named, the *Stork* and *Renown*. This last is probably the one here named, by a different translation, the *Fame*. Most writers give the names of the vessels in Printz's company, as the *Swan* and the *Charitas*; the former is probably the same as the *Stork*; where the latter name is derived from we do not know. Campanius speaks only of the *Fame*, on which he came, not mentioning the other, though there were probably two vessels in the company.

³ Campanius, p. 70.

1643. rights noticed. How he acquitted himself, we shall see in the sequel.

Agreeably to his instructions, he very soon turned his attention to the selection of a suitable place for the permanent residence of the government of New Sweden, and to the fortification of the river. The Dutch had Fort Nassau, at a considerable distance up the river, and the Swedes were fortified by Fort Christina below, and, as he probably concluded, not sufficiently near to Nassau to answer his designs; he therefore selected the island of Tenako, now Tinnicum, as combining both objects, of residence and defence; here he built a fort, which was named New Gottenberg. It was "constructed by laying very heavy hemlock (greenen) logs the one on the other," and was "pretty strong." Between Tinnicum and Christina there were at this time some plantations, but few houses, and at considerable distance from each other. Tinnicum is, towards the river side, "secured by creeks¹ and underwood; no plantation between it and Schuylkill, because near the river nothing is to be met but underwood and valley lands."² Here Printz built a mansion for himself and family, which was very handsome. There were likewise a fine orchard, a pleasure house, and other conveniences; he called it *Printz Hall*. On this island the principal inhabitants had their dwellings and plantations."³ This fort controlled the access of the Dutch to Fort Nassau. It was, a few years afterwards, accidentally burned down.

Printz Hall
and Fort
New Gotten-
berg, &c.
built.

During this year, also, Printz, in order to carry out his instructions to "shut" up the river, erected another fort, called Elfsborg, or Elsingborg, on or near the present Salem creek.⁴ Some writers allege it was not built for several years afterwards, but various facts contradict this. De Vries was fired at from it in the autumn of this year, at which time eight cannon were mounted there. Hudde says, "it was built by Printz soon after his arrival, about three Dutch miles below the mouth of the river; that it was usually garrisoned by twelve men, commanded by a lieutenant, had eight iron and brass guns, and one *potshoof*."⁵ The main object was to

Fort Elfs-
borg built by
the Swedes.

¹ See Ferris, p. 62.

² Hudde's Report, 1645. Vol. i. N. Y. Hist. Soc. Mem. N. S., p. 429.

³ Campanius, p. 79.

⁴ Called Octsessingh, or Wootsessungsing, Asamohackingz, by the Indians; by the Swedes, Elfsborg, or Elsingborg; Dutch, Varckenskil, or Hog Creek.

⁵ Hudde, p. 429.

visit the Dutch vessels which passed, and oblige them to lower the colours, which greatly affronted them,"¹ also to salute Swedish vessels arriving. It has been asserted that it was soon deserted, on account of musquitoes, but there seems to be no good foundation for this story, although, from the location, they must have been troublesome. A Dutch document, speaking of this fort, says, "they (the Swedes) have been so bold, that they not only stopped and prevented from continuing their voyages, the sloops and small craft that were favoured with the company's licenses, but, under pretence of examination, took the best articles out of them, to the notable injury of the people, and disrespect of the States and the company, who, by the right of first discovery, have owned and possessed the river; the said Governor Printz has even not hesitated to say, at different times, that the before-mentioned fort was built there for the purpose of closing the river."²

1643.

Situation
of Fort
Elsingborg.

Some uncertainty exists as to the precise location of Fort Elsingborg; it has usually been placed upon the creek, but upon inquiry in the neighbourhood, and especially of an old resident there, the author is led to believe that it was situated three or four miles below Salem Creek, at a point which has long been known as "Elsinburg Fort Point." So early as *November 12, 1676*, "a conveyance by warrant was made of 1000 acres, by John Fenwick, to be set out, limited and bounded *at and near the point heretofore called Elsinburg Fort*, and hereafter to be called Guy's plantation." There was a large body of marsh on both sides of a creek then called Fishing Creek; "on the south side of this creek was an island of upland, on which, I well remember, were three well-sized trees; on this island of upland I understood the fort formerly stood, nor have I ever heard any Salem county man locate it in any other place." "This island was most judiciously selected for the erection of a fort, being protected by the river on the west, on the north by Fishing Creek; turning east and south, on the south by an immense expanse of wild marsh."³

The creek is now called Mill Creek, from a mill having

¹ Acrelius, p. 412.

² Holl. Doc. vol. viii. p. 32 to 50.

³ For these facts I am indebted to the kindness of Col. R. G. Johnson, the well-known author of a small History of Salem, N. J., and one of the oldest inhabitants of Salem, who has favoured me with a long letter on the subject.

1643. been there. Great changes have been effected by the tides, on this part of the river.

As this fort was quite near to the English settlement on Varkens Creek, it must have led to some collisions with them; and if it be the fact that the English were driven off by the Swedes, as is stated, it may have hastened their departure, as Printz's instructions would authorize him to get possession there if he could, the Swedes having bought from the savages "from the mouth of the great river to Cape May, and even to another small river, Narratikon, (now Raccoon Creek,) the whole extending about twelve German miles, and comprising therein even Varkens kill."

May 19.
Union of N.
E. colonies.

The colonies of Connecticut, New Haven, Plymouth and Massachusetts, form a confederacy for mutual protection, under the name of the "United Colonies of New England." Their articles may be seen in Hazard's Historical Collections, vol. ii. p. 1.

September 7.
Death of
Reorus Tor-
killus.

Died Rev. Reorus Torkillus, who came with Minuit to this country, in 1638, and of course was the first Swedish clergyman. "He was born in West Gothland, in 1608, was a professor in a college at Gottenberg, and afterwards chaplain to the superintendent Andrew Printz. He went afterwards to Virginia, where he remained four years, married, and had one child." On the 23d of February, he took sick, and died September 7; he was buried at Fort Christina, about two years after his voyage companion Minuit, aged 35.¹

Criminals
sent to New
Sweden.

In the early part of Printz's administration, great numbers of criminals were sent over from Sweden, till finally the Europeans perceiving it would not allow them to land, but compelled them to return, and many perished on the voyage. Many of those who accompanied Minuit are said to have been "bandits."² "It was, after this, forbidden, under a penalty, to send any more criminals to America, lest Almighty God should let his vengeance fall on the ships and goods, and the virtuous people that were on board."³

De Vries re-
visits the
Delaware.
Fired at
from Fort
Elsinburg.

De Vries, whose settlement was destroyed, at the Whore-kills, in 1631, and at which time, he says, no Swedes were known on the river, now revisits the South River, on his way to Jamestown, and finds them there in possession of three forts. The first was Elsinburg, on which they had eight

¹ Campanius, p. 107, 109. Clay, p. 149. Ferris, p. 57. Campanius, p. 73.

² Holl. Doc. vol. viii. p. 32 to 50.

³ Campanius, p. 73.

metal guns of 12 lb.; they fired at his boat, and ordered him to strike his flag. It was commanded by *Captain Printz*, who, he says, "weighed upwards of 400 pounds, and drank three drinks at every meal." He speaks of the Swedes as "not very sober, as they bought from the captain of the vessel a good quantity of wine and sweetmeats, and that neither here nor in Virginia was intoxication punished with whipping." This description has been usually applied to *Governor Printz*; some doubt may suggest itself whether a relative of the same name may not be intended, as it is probable the governor would be at head-quarters, at Tinnicum, and not commanding this out fort. The two other forts were Christina and New Gottenberg. At Fort Nassau there were yet some of the people of the West India Company.¹

1643.

Description
of *Captain*
Printz.

At a meeting of the commissioners of the United Colonies, complaints were laid before them, by Mr. Eaton and Mr. Gregson, "concerning the foul injuries offered by the Swedish governor, in Delaware River, to Mr. Lambertson, and those people whom New Haven had planted there," and also of the injuries done to them by the Dutch governor's agent there, such "as burning down their trading-house, joining with the Swedes against them, &c." The president, Governor Winthrop, was requested to write to both governors, "expressing particulars, and requiring satisfaction," and "professing, that as we will not wrong others, so we may not desert our confederates in any just cause."² A commission was also given "to Mr. Lambertson, to go treat with the Swedish government about satisfaction for those injuries and damages, and to agree with him about settling their trade and plantation. This Swedish governor demeaned himself as if he had neither Christian nor moral conscience, getting Mr. Lambertson into his power by feigned and false pretences, and keeping him prisoner, and some of his men, labouring by promises and threats, to draw them to accuse him to have conspired with the Indians to cut off the Swedes and the Dutch; and not prevailing these ways, then by attempting to make them drunk, that so he might draw something from them, and in the end, (though he could gain no testimony,) yet he forced him to pay a weight of beaver before he would set him at liberty. He is also a man very furious and passionate, cursing

Sept. 26.

Complaints
to the
United Colo-
nies against
Dutch and
Swedes, for
treatment of
Mr. Lamber-
ton.Statement of
the facts.
Behaviour
and charac-
ter of the
Swedish go-
vernor.¹ De Vries, p. 273. Hudde's Report, p. 428.² Hazard's Hist. Coll. vol. ii. p. 11.

1643. and swearing, and also reviling the English of New Haven as runagates, &c.; and himself, with his own hands, put irons on one of Mr. Lamberton's men, and went also to the houses of the few families planted there, and forced some of them to swear allegiance to the crown of Sweden, though he had no colour of title to that place; and such as would not, he drove away. All these things were clearly proved by Mr. Lamberton's relation, and by other testimony, on oath, but this was before he was sent with the commission."¹

The following deposition, which we have copied from the records in the secretary's office at New Haven, is probably a part of the testimony above referred to.

"At a court held at New Haven, 2d of August, 1643. John Thickpenny, about the age of 25 years, mariner in the *Cock* with *George Lamberton*, in his *last* voyage to Delaware Bay, being duly sworn and examined, deposeseth,

Deposition of
John Thick-
penny, re-
specting
treatment of
Lamberton
and his men,
and attempt
to induce
them to
swear
falsely.

"That he was present in the *pinnace* called the *Cock*, whereof *George Lamberton* was master, riding at anchor about three miles above the Swedes' fort in Delaware River, when a letter was brought from the Swedes' governor, by *Tim*, the barber, and *Godfrey*, the merchant's man coming with him, they told him, this deponent, in Dutch, a language which he understood, that the contents of the letter was, that the Indians being at the fort the day before, had stolen a gold chain from the governor's wife, and that the governor did entreat Mr. Lamberton to use means to get it again of the Indians, who were then come to trade with the said Mr. Lamberton, desiring that they might stay aboard till the next morning, that he might discover the Indian to him, affirming that he could know the Indian that had stolen it, by a mark which he had in his face; but though many Indians came aboard while he was there, yet he went away and never made more words of it. This deponent further saith, that he was aboard when a second letter was brought aboard the *Cock* to Mr. Lamberton, from the Swedes' governor, the contents whereof he knows not; but a while after, the same day, he, with *Isaac*, going to carry Mr. Lamberton ashore to the Swedes' fort, into which being entered, before they spoke with the governor, the said Mr. Lamberton, this deponent, and the said *Isaac*, were all cast into prison together, (but a

¹ Winthrop's Journal, Savage's edit. vol. ii. p. 141. Hazard's Hist. Coll. vol. ii. p. 164. Hubbard.

while the said Mr. Lamberton was taken forth of that room, but, as he understood, was kept in another prison,) where he, this deponent, continued three days, in which time John Woollen, servant to Mr. Lamberton, (and his interpreter between him and the Indians,) was committed to the same prison in irons, which he himself said the governor had put upon him with his own hands. And further this deponent saith, that the said John Woollen told him, that at his, the said John Woollen's first coming into the Swedes' fort, he was brought into a room, in which the governor's wife, Timothy, the barber, and the watch-master came to him, and brought wine and strong beer, and gave him, with a purpose, as he conceived, to have made him drunk; and after he had largely drunk there, the governor sent for him into his own chamber, and gave him more strong beer and wine, and drunk freely with him, entertaining of him with much respect seemingly, and with profession of a great deal of love to him, making many large promises to do very much good for him if he would but say that George Lamberton had hired the Indians to cut off the Swedes; but the said John Woollen denied it: then the governor drunk to him again, and said he would make him a man, give him a plantation, and build him a house, and he should not want for gold nor silver, if he would but say as is said before; he would do more for him than the English could, for he loved him as his own child, but the said John answered that there was no such thing, and if he would give him his house full of gold he would not say so; and then the governor seemed to be exceeding angry, and threatened him very much, and after that drunk to him again, and pressed him to confess as before, which the said John Woollen refusing, the governor was much enraged, and stamped with his feet, (which this deponent himself heard, being in the room under him,) and calling for irons, he put them upon the said John Woollen, with his own hands, and sent him down to prison, as before is expressed. And this deponent saith, that the aforesaid Swedes' watch-master came into the prison, and brought strong beer, and drunk with them about two hours, in the night, and pressed the said John Woollen to say that the said George Lamberton had hired the Indians to cut off the Swedes, and he should be loosed from his irons presently, but John Woollen said he would not say it, if he should be hanged, drawn, and quartered, because he would

1643.
Deposition of
Thickpenny,
continued.

1643. not take away the life of a man that was innocent; then he pressed him further that he would speak any thing to that purpose, be it never so little, and he should be free presently, but John Woollen said he could not say it, nor he would not say it. And he further saith, that the said watch-master pressed him, this deponent, to the same purpose, and he should have his liberty, which he also refused, knowing no such thing. This deponent saith, that at another time, while he was in prison, Gregory, the merchants' man, came to him and told him they were sent by the governor to charge him with treason which he had spoken against the queen and lords of Sweden, namely, that he had wished them burned and hanged, which he, this deponent, utterly denied, and then the said Gregory fetched a flagon of strong beer, and drunk it with him, and after that fetched the said flagon full of sack, and drunk that with him also, and bid him call for wine and strong beer what he listed, and questioned with him about George Lamberton's hiring the Indians as aforesaid; his answer was, he knew no such thing. Then the watch-master affirmed that it was so, and that George Lamberton had given cloth, wampum, hatchets and knives for that purpose, pressing him to say so, and he should be free, and he would take up and clear him of the treason that was charged upon him; and if he feared to say so because of Mr. Lamberton, he should not need to fear him, for he should pay him his wages before the vessel went, and he should choose whether he would go back or stay with them; but he answered, let them do what they pleased with him, for he could not say any such thing; and further he saith not."¹

Deposition of
Thickpenny,
continued.

By the expression, "last voyage," it is to be inferred that a previous voyage had been made by Lamberton, probably in 1641 or 1642.

November 2. A letter of introduction is furnished by the Swedish government to Governor Printz, in favour of John Papegoya, "who some time since came from New Sweden, and is disposed to return there in one of our vessels, having humbly offered to render you, on our part, and upon the spot, good and faithful services," "recommending you graciously to employ him in those affairs to which you may think him adapted," and give him, as much as will be possible and reasonable, your protec-

Letter of introduction
from Christina to
Printz, in favour of John
Papegoya.

¹ New Haven Colonial Records, vol. i. pp. 97—99. Trumbull's MSS. refers to Records of N. H., p. 68, 69.

tion, in order to his advancement." This, it will hereafter be seen, was done, as he became the governor's son-in-law, and successor in office for a short time.¹ 1643.

"On account of his long and faithful services," past and present, and his engagement to continue them "as long as he shall live," Queen Christina grants to Governor Printz, and "his lawful heirs," as a perpetual possession, "the place called Teneko or New Gottenberg," of which all are required to take notice, "especially those who may be appointed to replace him in said situation, not to give him or his lawful heirs any obstacle or prejudice, in any manner, whether now or hereafter."²

November 6.
Grant of
Teneko to
Gov. Printz.

It appears by the certificate of Redder Evarston, skipper of the yacht Real, that as he was on his passage from Manhattan, with various articles received there from Oloff Stevensen, commissary superintendent of wares and merchandise, to be transported "to Jan Jansen, custom-house officer" at Fort Nassau, he was, "in a violent storm, obliged to throw into the sea a vat of wares and merchandise, and many other articles."³

Nov. 13.
Loss of articles for Fort Nassau.

In pursuance of his plan to fortify all important points upon the river, and to secure to the Swedes, as much as possible, the entire Indian trade, Printz, about this time, began to fortify the avenues by the Schuylkill, to that portion of it which was connected with the Minquas. The Dutch had, by means of their Fort Beversrede, erected here in 1633, conducted a very profitable trade with these Indians at Kinsesing, who invariably resorted there at proper seasons for the purpose. A portion had already been cut off by the magazine and trading-house erected by the Swedes in 1638, on Christina Creek, which commanded that avenue to the Minquas country, and the only remaining one was now about to be removed, and by means of some of their own hands; for it appears that Printz "employed the Dutch company's carpenter in constructing there a fort on a very convenient spot, on an island near the borders of the kill," secured from the west by another creek, and from the south-south-east and east sides, with underwood and valley lands; it lies about the distance of a gunshot in the kill. On the south side, on this island, beautiful corn is raised." "This fort cannot control

Measures taken by Printz to secure the trade with the Minquas Indians, near the Schuylkill. Builds forts and a mill.

¹ MSS. A. P. S. Reg. of Penns. vol. iv. p. 315.

² Ibid. p. 316.

³ Albany Records, vol. ii.

1643. the river, but has the command over the whole creek, while this creek is the only remaining avenue for the trade with the Minquas, and without it this river is of little value." "About half a mile further in the woods, Printz constructed a mill, on a kill which runs in the sea, not far to the south of Mat-tinekonk, and on this kill a strong building just by, in the path which leads to the Minquas, and this place is called, by the savages, Kakarikonk, so that no access to the Minquas is left open; and he too controls nearly all the trade of the savages on the river, as the greatest part of them go a hunting in that neighbourhood, which they are not able to do without passing his residence."¹

Attempt to
find the lo-
cation at this
day.

It is not very easy, at this date, to ascertain these various points, owing to the great changes effected by the river and improvements; but a late writer, who has taken much pains in the investigation, concludes that the island on which the fort was built was formed by a cluster of rocks with the earth connected with them, in the neighbourhood of Bartram's garden, and that the kill on which the mill stood, is "no doubt," Cobb's Creek, a tributary of Darby Creek, which empties south of Tinnicum.²

A Dutch document, before referred to, gives the following view of these proceedings.

Dutch view
of these pro-
ceedings.

"The Swedes built a small fort on the indisputable lands and streams of the company, on the point of the before-men-tioned Schuylkill, called Lapwing's Point by them, and more and above built a trading-house right before the gate of the company's Fort Beversrède, not being a rod from the gate, thereby depriving us altogether from the view of the common roads, so as to deprive the company of the beaver trade, and to effect this, they are using every effort."³

1644.

March 7.
Answer re-
ceived by the
commission-
ers from the
Swedish go-
vernment, to
their letter
to him.

At a court held at Boston, letters were received from New Haven, together with an answer from the Swedish governor, in reply to the letter written by the commissioners in Sep-tember last. "The Swedes denied what they had been charged with, and sent copies of divers examinations upon oath, taken in the cause, with a copy of all the proceedings between them and our friends at New Haven, from the first,

¹ Hudde's Report, p. 429. Campanius. Acrelius.

² See the details in Ferris, pp. 71 to 73.

³ Holl. Doc. vol. viii. p. 32 to 50.

and in their letters used large expressions of their respect to the English, and particularly to our colony; and Mr. Eaton desired a copy of our patent, to show the Swedish governor, (at his request,) and a new commission from the commissioners of the Union, allowing them to go on with their plantations and trade in Delaware River and Bay, (for the governor had told their agents that upon such a commission they should have liberty, &c.) The commissioners advised with the court about it, who granted both, but the commission with a *salvo jure*.”¹

1644.

Promise of
liberty to
trade and
settle on the
Delaware.

Unfortunately, none of the letters, &c., here referred to, are now to be found; they would probably have much enlightened our path.

“Divers of the merchants of Boston, being desirous to discover the great lake, supposing it to lie in the north-west part of our patent, and finding that the great beaver trade which came to all the eastern and southern parts, came from thence, petitioned the court (of Massachusetts) to be a company for that design, and to have the trade which they should discover to themselves for twenty-one years. The court was very unwilling to grant any monopoly, but perceiving that without it they would not proceed, granted their desire; whereupon, having also a commission granted them under the public seal, and letters from the governor to the Dutch and Swedish governors, they sent out a pinnace well manned, and furnished with provisions and trading stuff, which was to sail up the River Delaware so high as they could go, and then some of the company, under the conduct of Mr. William Aspinwall, a good artist, and one who had been in these parts, to pass by small skiffs or canoes, up the river so far as they could.” “The Dutch promised to let them pass, but for maintaining their own interest, he, (the governor,) must protest against them. When they came to the Swedes, the fort shot at them ere they came up, whereupon they cast anchor, and the next morning, being the Lord’s day, the lieutenant came on board, and forced them to fall lower down; when Mr. Aspinwall came to the governor, and complained of the lieutenant’s ill dealing, both in shooting at them before he had hailed them, and in forcing them to weigh anchor on the Lord’s day. The governor acknowledged he did ill in both, and promised all favour; but the Dutch agent

Expedition
from Boston
to Delaware,
in search of
the Lake
Lycconia.

¹ Winthrop, vol. ii. p. 157.

1644. came down to the fort, and showed express order not to let him pass, whereupon they returned. But before they came out of the river, the Swedish lieutenant made them pay 40 shillings for that shot which he had unduly made." "The
 July 20. pinnacle returned to Boston, with the loss of the voyage. The Dutch had protested, but suffered them to pass, as also did the Swedish governor, but neither would allow them to trade, and each appointed a pinnacle to accompany theirs; but the master of the Boston vessel proved such a drunken sot, and so complied with the Dutch and Swedes, they feared that when they should have left the vessel to have gone up to the lake in a small boat, he would, in his drunkenness, have betrayed their goods, &c., to the Dutch; whereupon they gave over and returned home, and bringing their action against the master, both for his drunkenness and denial to proceed as they required, and as by the charter-party he was bound, they recovered £200 of him, which was too much, though he did deal badly with them, for it was very probable they could not have proceeded."¹

The following minute of the United Colonies has probably relation to the same matter; it was presented by this court, in 1653, as one of the numerous grievances complained of against the Dutch.

"Richard Callicott, sometimes agent for the company of adventurers for the Lake Lyconnia, allowed for the general court for the Massachusetts, complaineth, that about the year 1644, he did present to the said Dutch governor, letters from the court of the Massachusetts, wherein liberty for the English vessel to pass up Delaware Bay and River, by the Dutch fort, for discovery, and in further prosecution of the said company's occasions, was desired, and by a verbal promise, freely and fully granted by the Dutch governor.

"Notwithstanding which, in an underhand and injurious way, he presently sent a vessel, well manned, to the Dutch fort at Delaware, with command to John Johnson, his agent there, rather to sink the said vessel than to suffer her to pass; by means whereof Richard Callicott and his company are forced to return, and thereby their whole stock, which at least was £700, was wasted, and their design overthrown, besides the hope of future trade and benefit."²

¹ Winthrop, vol. ii. pp. 161, 179, 187. Hubbard.

² Hazard's Hist. Coll. vol. ii. p. 214.

The great object of this expedition appears to have been the discovery of the country, whence came the large supply of beavers. This was supposed to be in the neighbourhood of a great lake, situated "in the north-west part of the New England patent," and to be reached by the Delaware. According to an old map of New Belgium, by Matthew Seutter, without date, (but later than Philadelphia, which is laid down upon it,) the Delaware is made to take its rise in a lake not very far south of Maquaas kill, the present Mohawk. The lake, or the nation around it, is called *Mackwaas*. This lake is probably the one sought for by the name Lyconnia, and was the residence of the Maquaas, or Mohawk Indians, who, it is well known, furnished large quantities of beaver, and of course the trade would be closely watched by the Dutch. The lake is now called Utsaemtha, and is the head of a branch of the Delaware.¹ 1644.

Two valuable cargoes were this year transported by the Swedes, in the ships *Fame* and *Key* of Calmar, destined to Sweden, but, owing to various causes, were compelled to put into the province of Friesland, where duties and recognitions were claimed by the Dutch West India Company, under their charter, as sovereigns of the country, from which the vessels came. A long correspondence ensued between the Swedish ambassador at the Hague, and the States-General, in which the claims of both parties to the country around South River, the privileges under treaties, &c., were noticed, and the claim of duties and recognitions protested against. The cargoes were finally liberated, on payment of the regular import duties, without the 8 per cent. recognitions, although the question of right of sovereignty over the river was left unsettled, to the future regret of the Dutch. Some idea of the value of the Swedish trade on the river, at this time, may be formed from the fact that these vessels had on board 2127 packages of beaver, and 70,421 pounds of tobacco.² October 6. Vessels seized in Holland, and required to pay duties.

An event, important to the world, and especially to Pennsylvania, occurred this day, in the *birth* of William Penn, its future proprietary and founder; (it took place in London;) the son and heir of Sir *William* or Admiral Penn, distin- October 14. Birth of Wm. Penn.

¹ Gordon's Gazetteer.

² O'Call. vol. i. p. 371, who refers to Holl. Doc. vol. ii. p. 340 to 345, 350 to 361; vol. iv. 1, 2, 13—15, 18. Albany Records, vol. xvii. p. 321. Acrelius.

1644. guished for his long and brilliant public career in the naval service of Great Britain.¹

Christina
assumes the
government.

This year, also, Christina assumes the government of Sweden.

A second
expedition
from Boston
to Delaware.
Murder of
the crew by
the Indians.
Two sent to
Boston.
Trial and ac-
quittal.

It appears that another trading expedition for the Delaware, was, in the winter of this year, fitted out from Boston, which eventuated still more disastrously than the former one. It was a barque or pinnace sent by the merchants of Boston. "She traded upon Maryland side, and had gotten a good parcel of beaver; at last the Indians came aboard, and while the English, (who were about five and a boy,) were trading with some of them, others drew out hatchets from under their coats, and killed the master and three others, and took the other and the boy, and carried them on shore, and rifled the pinnace of all her goods and sails, &c. Soon after, other Indians came upon these, and slew the sachem, and took away all the goods they had stolen. There was one Redman suspected to have betrayed their pinnace, for he being linkister, (because he could speak their language,) and being put out of that employment for his evil carriage, did bear ill will to the master; and the Indians spared him and gave him a good part of the spoil, and he lived among them five or six weeks, till the Swedish governor procured other Indians to go fetch him and the boy to his fort, from whence they were brought next year to Boston, and then said Redman was tried for his life, and being found guilty by the grand jury, was deferred his farther trial, in expectation of more evidence to come from Delaware." It appears, from the court records, he was ultimately acquitted, and a petition for charity to the widow and orphans of Luter, or Luther, the master, was offered in the general court.²

A person
prevented
from trading
on South
River.

Attorney-General Huygens notifies Govert Lookermans that he "must not presume to trade in the company's trading place where Commissary Jan Jansen Van Ilpendam is accustomed to trade, and which place is situated on South River of New Netherland, with the Indians, and if you did so, I now enter my protest against you, with regard to any eventual damages of the company."³

It would appear from a receipt given to Jan Jansen, the commissary at Nassau, that he possessed considerable silver

¹ Biog. Dict.

² Winthrop, vol. ii. p. 237 and note.

³ Albany Records, vol. iii. p. 197.

plate, viz. "a silver bumper, two silver basins, a gourd mounted with silver, a gold hatband, and one silver spoon, amounting to \$116, which, if Jansen dies on his journey, (?) is to be sent to his father."¹ 1644.

1645.

Charges of fraud, &c., are made by the attorney-general against Jan Jansen Van Ilpendam, "for neglect of duty in his office at Fort Nassau;" a copy of these charges is to be given him.²

Sept. 4.
Charges of
fraud pre-
ferred
against Van
Ilpendam.
October 12.

The nature of these charges will appear from the following: "Jan Jansen Van Ilpendam declares in court, that he took with him to South River, some cloth, without being able to give correctly its amount, and promises to declare to-morrow whether he delivered to Hendrick Huygen, or did sell it to any other person." "He said that he received two parcels of Harlaem silk from the wife of Bogardus, which were brought here by Jochem Kiersted, which boxes were, in his presence, in the yacht Prince William, sold by Egbert Van Borsum for two beavers; and further that he had no concern whatever in trade with Jan Juriensen, during his residence here."

"The attorney-general, plaintiff, contra J. J. Van Ilpendam. Seen the conclusion of the Attorney-General against J. J. Van Ilpendam, on fraud committed by him in his office, and examination of his accounts for several years, with the affidavits of witnesses, and the defence of J. J. Van Ilpendam aforesaid. After maturely considering the case, it is decreed, that by provision, Andreas Hudde shall be sent to Fort Nassau, to make there further inquiries, by the company's servants and others, into the concerns and trade of the defendant; and further to make a correct inventory of all his effects, and of those of the company, and send hither what is not wanted there, and further to act there in behalf of the company, as commissary for the present, which the attorney-general shall perform here in the same manner, while further the defendant shall prepare his answer on the points which were this day proposed to him."³

A. Hudde to
proceed to
Fort Nassau,
to examine
J. J. Van Il-
pendam's af-
fairs, and act
as commis-
sary.

On Hudde's arrival there, "he found the magazines in such bad condition, that Ilpendam mentions but two bales of Har-

¹ Albany Records, vol. iii. p. 399.

² Ibid. vol. ii. p. 319.

³ Ibid. p. 323.

1645. laem cloth, and two beaver skins, as the whole stock under his charge the whole time."¹

December. This year Fort New Gottenberg was accidentally destroyed by fire, with all the buildings in it, and all the powder and goods blown up. It happened in the night, by the negligence of a servant, who fell asleep, leaving a candle burning.²

Fort Gottenberg destroyed by fire.
A. Corssen drowned. Arent Corssen, who made the purchase on Schuylkill, and was now sent by Kieft to carry specimens of minerals to Holland, was drowned on the way thither.³

1646.

February 8. Further proceedings are had against Van Ilpendam, as we find in the records. It is now decided to send him to Holland for trial.

Van Ilpendam to be sent for trial to Holland. "Seen the prosecution of the attorney-general, Cornelius Van Huyghens, plaintiff, contra J. J. Van Ilpendam, commissary in Fort Nassau, defendant, with the conclusion of the plaintiffs, and the affidavits given under oath, from which it appears that the defendant defrauded the company, as well by paying the savages a higher price than is usual, as through transgressions; this is evident from the complaints against him, and attested by the affidavits and his own accounts. Wherefore we cannot approve his accounts, and take upon us the burden of his faults. After mature consideration, it is therefore ordered, that the defendant shall be sent, with all his documents, and the process of the attorney-general, with the first sailing ship, to Amsterdam, to defend and exculpate himself before the directors."⁴

June 23. A shallop, with a considerable cargo, which was despatched from Manhattan, the property of individuals, and consigned to A. Hudde, arrived, and was ordered by him "to go to the Schuylkill, near the right, and wait there for the Minquas." Captain Blanke arrives in a sloop at Schuylkill, to Hudde. On the arrival of the vessel at this point, "Juriaen Blanke, the trader of the sloop, was commanded," by the Swedes, "to leave that spot at once, as belonging to the crown." Swedes order him off. Hudde, hearing of this, "directly went thither with four men, to examine how matters stood; he received the same orders to depart," and requested "that they would inform their governor that this place had always been a trading

¹ Acrelius, p. 413.

² Hubbard, in Mass. Hist. Coll. vol. vi. N. S., p. 434. Winthrop, vol. ii. p. 254.

³ O'Call. vol. i. p. 359.

⁴ Albany Records, vol. ii. p. 337.

place, and that thus he would act with discretion, and avoid giving cause for discord." Next day, "the minister of the gospel, (probably Campanius,) was despatched by the governor to me, who declared that he had orders, that if the bark was in the Schuylkill, he should compel her to leave it." Hudde replied, "that he must first see the signature and seal of the governor, by which he intended to forbid the company (West India) to trade with their goods in any part of the river," and "requested that this might be done with discretion, and that the alliance between their High Mightinesses and Her Royal Majesty, might be taken into consideration," protesting, at the same time, "against any losses and hindrances that might be the natural consequence." Upon this, Governor Printz sent to Hudde, "the commissary, Henry Huygens, with two officers, Carel Jansen, a Finn by birth, his book-keeper, and Gregory Van Dyck, his sergeant, a native of the Hague, and demanded my answer upon certain articles, of which I demanded a copy," and "would answer in writing." The officer replied, "He had no orders to do so, and dared not do it." Hudde then gave "a verbal answer, to avoid giving any offence, in presence, on my part, of Sander Boyer, sergeant, Philip Gerneert, and Juriaen Blancke, all freemen." The articles were—"On the Schuylkill, in what manner the property of it is ascertained and understood?" "That the acts relative to the division of the limits are at Manhattan, where he may obtain correct information." "If he (Governor Printz) ever offended me, or any of mine, with words or deeds." "He left me and mine alone, but offended the company, then their High Mightinesses, in so far as to say to me in his name, that he would drive me from the kill by force." "That the governor had sent for the Minquas, at the expense of the crown, and when they arrived, I lured them from the Schuylkill." "That the sachem was, last spring, with me; I defrayed his expenses, contracted with him, that as soon as I received some goods I would send him a messenger, or come down, if I received any information." "That I compelled Blancke to sail up and fasten his bark to the *bridge*." "I commanded him to sail up, but I know of no compulsion." "That I took up arms without any just cause, and that I answered, upon his interdict, that I would remain there, and see who would be so daring as to drive me away." "I made no use of arms, much less showed any hostile in-

1646.

Printz sends two officers, and proposes various questions. Hudde replies.

Questions to, and answers by Hudde to Printz.

1646. tention, or committed any act of hostility, but rather endeavoured to prevent it, without betraying the interests of their High Mightinesses."¹

July 1. Here the matter rested for a few days, when the following warning, from Governor Printz, was sent to Blancke, the captain of the sloop.

Governor
Printz's
warning to
Captain
Blancke, to
depart, on
pain of con-
fiscation.

"My good friend Blancke—I have received again complaints of several of her majesty's inhabitants, how that thou art compelled, with thy bark, contrary to the letter of thy commission, to remain there, under the pretext that thou art obliged to do so by Andreas Hudde, who takes care of the interests, and disposes of the lands of their High Mightinesses, as commissioned by them. So is it, that I friendly admonish you, as soon as you shall have been informed of these contents, that you directly leave that spot; as your commission implies, with your trading vessel in the Schuylkill; seek the spot where usually the sloops are accustomed to trade, which shall not be prohibited; neither do I desire that my subjects shall be admitted there from respect and friendship for the commander and his commissions, as long as you are remaining and trading in the Schuylkill, or that they would obstruct your interests. But if you should act against these, my orders, and despise my warning, which you are in duty bound to obey, so shall your bark, with its whole cargo, in conformity with the orders of her royal majesty, as it is strongly expressed in her majesty's orders, be confiscated; of which you may be fully persuaded, in case that you act against my orders. Done at Tinnekonk, 20th June, 1646.

"Signed, JOHN PRINTZ."

Blancke
obeys, and
departs with-
out orders
from Hudde.

This had the effect to induce the departure of Blancke with his bark, though without Hudde's orders, "but through fear that his bark and goods might be confiscated, as he was a private person, to whom it would be a very difficult task to recover it," especially as it was not in Hudde's "power to give him any security, and he was entirely ignorant of the cause of contest between the company and the Swedes."²

July 12.
Proceeding
of the
Swedes.
Trade with
Minquas.

Hudde communicated to the director-general, Kieft, as soon as possible, an account of the difficulties respecting the sloop, and at the same time informed him "how the trade with the Minquas might be continued, as it was the plan of Printz and

¹ Hudde's Report, from Albany Records, in vol. i. N. S. of N. Y. Hist. Coll. pp. 429—431.

² Ibid. pp. 431, 432.

his associates to deprive the company and its colonists of this benefit by all means."

1646.

About this period, Hudde received a letter from the director-general, "to inquire about certain minerals in this country." For this purpose he went to Sankikans, and "tried to penetrate to the great falls," where, if the samples might be credited, there was a great hope of success. "When I would pass the first fall, a sachem, named Wirakehen, stopped me, and asked where I would go? I answered, I intended to go upward. He replied, I was not permitted, and asked what is my object. He at last informed me that the Swedish governor told one Meerkedt, a sachem residing near Tinnekonk, that we intended to build a house near the great falls, and that in the vessels which we expected, 250 men would arrive, to be sent from the Manhattans, who would kill all the savages below on the river, and that this fort was to be garrisoned in the house which we intended to build, and would prevent the savages residing up the river to come to their assistance, so that no more would be able to escape, and in proof of all this, that we would first come up in a small vessel, to visit and explore the spot, and that we would kill two savages, as a pretext, but that Printz would never permit it, and would certainly expel us from the river." All attempts to go up to the falls being ineffectual, as he was stopped every time, the project was necessarily abandoned by Hudde.¹

Hudde going to inquire about minerals, is stopped by sachems, who hear alarming reports of the Dutch.

In accordance with the Dutch claim to possessions on the river, the following grant was made by the director-general, Kieft, to "Abraham Planck, Simon Root, Jan Andriessen, and Peter Harmensen," whom he permits "to take possession of the lands lying in said river, almost over against the little island T'Vogelssant, (or Bird-land,²) one hundred morgen,³ to settle there four farms or plantations, and to manure (cultivate) within one year from the date hereof, and sooner, if possible, on pain of losing this right," on condition that those who obtain this right shall acknowledge as their patrons and sovereign, the Lords' States-General, &c., "subjecting themselves to all such rates and duties as now are, or may be established, and constituting the above-named Planck, &c.,

August 10.

Dutch grant of 100 morgen of land opposite to Reedy Island, to Planck, Root, &c.

¹ Hudde's Report, pp. 432, 433.

² It is not certain whether this is Egg Island or Reedy Island. A Delaware writer says the latter, in Del. Reg. vol. i. p. 8.

³ A morgen is about two English acres.

1646. in our state, real and actual possession of the aforesaid land, lying on the west side of the South River, to take up and manure, and use the same as they might do with other their patrimonial lands and effects, without that we, the grantors, in our aforesaid quality, have in the least any part, action, or authority, on the aforesaid one hundred morgen, nor reserve or retain on the same, but disclaiming thereof from henceforth and for ever; promising further to maintain, observe, and fulfil this transport, firm, sure, irrefrangible, and irrevocable, all on penalty as directed by law." "Signed" and "confirmed with our seal in red wax hereunto appending, at Fort Amsterdam." "It was promised to the said persons, that if, in time to come, they should have occasion for more land, the same shall be granted to them, provided they build houses on the land for themselves to dwell in, and if they go off and leave the land, to be precluded of this their action." It was signed by William Kieft, and countersigned by the secretary, Van Tienhoven.¹

Acrelius says, "these men never came there."²

August 12,
O. S.

Letter of
Gov. Eaton
to Governor
Kieft, avow-
ing their
righteous
proceedings.

In a letter of this date, addressed by President Eaton to Governor Kieft, among other matters, reference is again made to the injuries and outrages sustained by the English of New Haven, in their persons and estates, on Delaware, complaining that his answers to their letters and protests have been of the most unsatisfactory character. They say, "that we conceive we have neither done nor returned any thing, even unto this day, but what doth agree with the law of God, the law of nations, and with that ancient confederation and amity between our superiors at home, so that we shall readily refer all questions and difference between you and us, even from first to last, to any due examination and judgment, either here or in Europe, and by these presents do refer them, being well assured that his majesty, our sovereign lord, Charles, king of Great Britain, and the parliament of England, now assembled, will maintain their own rights, and our just liberties, against any who, by unjust encroachment, shall wrong them or theirs, and that your own principals, upon a due and mature consideration, will also see and approve the righteousness of our proceedings."³

¹ Albany Records, Patents, N. Y. fol. 153. Reg. Penns. vol. iv. p. 119. Dover Records.

² Acrelius, p. 417.

³ Hazard's Hist. Coll. vol. ii. p. 56.

A decent wooden church, which had been built on Tinnicum, was, with the burying-place, this day consecrated by the Rev. John Campanius, who, it will be recollected, came out with Governor Printz. This, we believe, is the first church mentioned. The first corpse that was buried there was that of Catherine, daughter of Andrew Hanson, on the 28th of October. It is probable the worship, prior to that time, had been conducted either in a part of the governor's mansion, or in some temporary building, or perhaps a former building may have been destroyed by the fire last year.¹

1646.

Sept. 4.
First church
and burial.

Hudde received a letter, (probably from the director-general,) in which he "was imperiously commanded to purchase some land from the savages, which was situated on the *west shore, about a mile distant from Fort Nassau, to the north.*" Accordingly, "I took possession of that spot on the 8th following, and erected on it the arms of the company; and as the proprietor was not at home, I was obliged to delay the conclusion of the purchase till the 25th of the same month. After the purchase was accomplished, the original proprietor went with me to the spot, and assisted in fixing the arms of the company to a pole which was fixed in the ground on the limits. Shortly after this, several freemen made preparations to build on this newly acquired possession."²

Sept. 7.
Hudde com-
manded to
purchase on
west shore,
one mile
north of Fort
Nassau, pre-
sent site of
Philada.
Effects it,
takes posses-
sion, and
erects the
Dutch arms.

This purchase, from the distance, one Dutch, or four English miles, and also from the direction from Fort Nassau, (north,) has been considered by some, and perhaps plausibly, to have been the same as the site, or a part of it, of the present city of Philadelphia.³

The Swedish commissary Huygens, by order of Governor Printz, "carried down with him the arms which Hudde had affixed, on which a considerable altercation took place, and among other things, about the great abuse committed by his sergeant and other Swedes on 30th September last, against all good order and decency, and after the guard was already on duty, when I kept him for some time in the guard-house, besides giving him a severe reproof, and demanded of his governor to correct and punish him, so that it might evidently appear that he had no share whatever in such a violent outrage, or if similar excesses were again renewed, I would

October 8.
Dutch arms
carried
away.

¹ Campanius, p. 79.

² Hudde's Report, p. 433.

³ Ferris's Early Settlements, p. 75.

1646. directly inflict punishment, as usually is done on similar turbulent persons."

October 16.

Printz's protest against Hudde's conduct and purchase.

Hudde received this day a protest from Governor Printz, dated 30th September, the same on which the event alluded to, as above, took place, of which we have no further account. Oloff Stille and Moens Flom, two of Printz's freemen, were bearers of it.

"Andreas Hudde, I remind you again, by this written warning, as before was done verbally in person by the commissary, Hendrick Huygen, that you will discontinue the injuries of which you have been guilty against the royal majesty in Sweden, my most gracious queen, against her royal majesty's rights, pretensions, soil and land, without showing the least respect to her royal majesty's magnificence, reputation, and highness, and that you will do so no more, and then considering how little it would be becoming her royal majesty to bear such gross violence, and what great disasters might originate from it, yea, must be expected. 2dly, With what reluctance, as I think, your nation or your masters would, for such a trifle, come in conflict with her royal majesty, as you have no shadow of right for this, your gross conduct, particularly for your secret and unlawful purchase of land from the savages, by which you evidently betrayed your conviction of the justice, equity, and antiquity of your pretensive claims, of which you so loudly boasted, and which, by this purchase, have been brought to light, showing clearly that you had no shadow of right to that place, of which, you have taken possession, no more than to others on this river which you now claim, in which, however, you were never molested by her majesty or her plenipotentiary; neither was it ever attempted by them to undermine you in a sinister way. All this I can freely bring forward in my defence, to exculpate me from all future calamities, of which we give you a warning, and place it to your account. Dated New Gottenberg, 30th September, 1646."

Below, in the margin, was the following:

"The orders to which you appeal may very well have been occasioned by unjust and unfair report, and it would well become you to send him correct information of this whole transaction, as you were present on the spot.

"JOHN PRINTZ."¹

¹ Hudde, p. 434.

The next day after receiving the foregoing protest, Hudde 1646.
 went up the river "on some very urgent business," and was
 informed, on his return, that the Swedish governor had for-
 bidden his subjects to enter into any transactions with "our"
 people, which is often put in practice by professed enemies,
 but never was adopted by allies, the one against the other.
 He was also informed that the Swede found fault with his
 not answering the protest; he accordingly wrote the follow-
 ing protest, and on the 23d October sent it by Sander Boyer
 and two soldiers, viz. David Davitsen and Jacob Hendricksen.

October 17.

Printz for-
 bids all
 transactions
 between the
 Swedes and
 Dutch.

"To the noble governor, De Heer John Printz—Sir Go-
 vernor: On the evening of the 16th instant, *stilo novo*, was
 delivered to me an act, by Oloff Stille and Moens Flom,
 dated 30th September, *stilo vetere*, by which your honour
 warns me to desist from any injuries which I should have
 done or committed against the lands of her royal majesty of
 Sweden, which, however, remain yet unknown to me till this
 moment; and if your honour had condescended to explain
 wherein these consisted, I should not have hesitated to alter
 my course, if your honour's insinuations had been correct, as
 I am entirely ignorant that I have left undone any thing
 which might have a tendency to the preservation of our
 mutual intercourse, much less that I should have committed
 any act of gross violence. I purchased the land, not in a
 clandestine manner, neither unjustly, except that your honour
 calls that a clandestine manner which is not performed with
 your honour's knowledge. I purchased it from the real
 owner; if he sold that land previously to your honour, then
 he imposed upon me shamefully. The place which we pos-
 sess, we possess indeed in just property, perhaps before the
 name of the South River was heard of in Sweden. I cannot
 say, certainly I am ignorant, if my lord and master has been
 unjustly informed, only that I explained to him the whole
 transaction in truth and justice, and so I will continue to do
 by the first opportunity, that I may obtain and transmit to
 him your act, with this my answer upon it, to be further in-
 formed by him what he may think proper to command, and
 what I shall be obliged to execute; and whereas your com-
 missary, coming down on the 8th instant, had taken off the
 arms which I hung up on the purchased lands, tearing them
 down in an insolent and hostile manner, with these threaten-
 ing words, 'that although it had been the colours of the

October 22.

Hudde's pro-
 test in an-
 swer to
 Printz.

1646.

Hudde's protest, continued.

Prince of Orange that were hoisted there, he would have thrown them too under his feet; besides many bloody menaces, which have been reported to me from time to time, which can have no other tendency than to cause great calamities; and whereas this not only concerns my nation and masters, but is an infringement on the authority of their High Mightinesses the States-General, and that of his highness the Prince of Orange, and so too of that of the noble director, which is insulted by it. So is it, that I am compelled, against my will, to send your honour this answer, by which I must protest before God and the whole world; as also I do protest by this that I am innocent of all the disasters, difficulties, losses, and what further might follow from these procedures, or which might originate from them, but that to the contrary, I performed every thing, and endeavoured to employ all means by which a good correspondence and mutual harmony might be promoted, so as I deem myself obliged to do, in so far as my honour and oath shall permit it, and I will confide that it is your honour's intention to act in the same manner, at least from the consideration that we, who are Christians, will not place ourselves as a stumbling-block, or laughing-stock, to those savage heathens, which I trust that shall remain so, as it is by your affectionate friend,

A. HUDDE.

“On South River, New Netherlands, Oct. 22, 1646.”

The manner in which the bearers of this protest were received and treated, is thus described by the sergeant, to Hudde.

Governor's treatment of the sergeant who went to deliver Hudde's protest.

“As soon as he arrived at the governor's, who stood before his door, he wished him a good morning, and said further, I bring you a greeting from the commissary Hudde, who sends you an act in answer to yours; when he, John Printz, took it from his hand, and threw it towards one of his attendants, who stood near him, saying, ‘There, take care of it.’ The other picked it up from the ground to take care of it. The governor then departed to meet some Englishmen just arrived from New England. After some interval, the sergeant asked to see the governor, to obtain an answer; but, notwithstanding he came there in the discharge of his duty, he nevertheless was thrown out of the doors, the governor taking a gun in his hand from the wall, to shoot him, as he imagined, but was prevented, from his leaving the room.”

This treatment Hudde complains of as being very common on the part of Printz, "freemen as well as servants, when arriving where he resides, are in a most unreasonable manner abused, so that they are often, on returning home, bloody and bruised."¹ 1646.

1647.

Some of the principal people of New Haven; "exceedingly disappointed in trade, and having sustained great damages at Delaware, and depreciation of their estates, with a view to retrieve former losses, combined their resources, built a ship, and embarked, and cutting their way out of the harbour, through the ice, sailed for England. Among these were Mr. Gregson, Captain Turner, and Mr. Lamberton, who have already been mentioned in connection with the purchases on our river. The vessel foundered at sea, and was never afterwards heard of, which much discouraged those who remained behind, and for a time put a period to the plantation from New Haven here. Two persons of the name of Lamberton are mentioned in the records, viz. Thomas and George; the latter was captain of the vessel, probably the former was the merchant and owner. It is not said which of them was lost, but he was one of the principal men of the town."² January 1. Loss at sea of a company from New Haven.

Peter Stuyvesant succeeds Governor Kieft; he arrived on the 11th, and his administration began May 27. Shortly after his arrival, he sent complimentary letters to the governors of Massachusetts and New Haven, professing resolutions to be upon very friendly terms with those governments, but at the same time laid in his claims to all the land between Delaware and Connecticut Rivers, as the indubitable right of the States-General, or West India Company, which his predecessor either never did, or did more obscurely." He soon, however, seized a vessel trading with New Haven, and extended his claims so as to include all the land, rivers, and streams, &c., from Cape Henlopen to Cape Cod.³ May 11. Peter Stuyvesant's arrival.

An attempt to surprise the Dutch was made by the Armewsick savages, at noon, "although it was rendered void by God's mercy and correct information, and through a mis-

¹ Albany Records, vol. xvii. Hudde's Report, N. Y. Hist. Soc. Coll. vol. i. N. S., p. 435, 436.

² Trumbull's Conn. vol. i. p. 164. Winthrop, vol. ii. p. 266.

³ Hazard's Hist. Coll. vol. ii. p. 216. Smith's N. Y. vol. i. p. 8. N. Y. Coll. vol. i. p. 453.

1647. understanding among them. Printz leaves nothing untried to render the Dutch suspected by both savages and Christians. He openly declares that the company have no right whatever on this river, and that he purchased the land in behalf of the crown of Sweden; so as to the Minquas' land, that the company could not trust on their old uninterrupted possession; *that the devil was the oldest possessor of hell, but that he sometimes admitted a younger one*, as he openly declared at his own table, on 3d June, 1647, in my presence, and that of my wife, with many other equally vulgar expressions, serving and intended for the same purpose; but, and what is worse, he made it openly manifest by stubborn deeds, more particularly by enclosing the river, so that no vessels can enter it on any account, except with his previous consent, notwithstanding they may have been provided with the most respectable commissions; by which closing he not only greatly injures the freemen, but retards their journey, to their great loss. He further shamefully vilifies their High Mightinesses, by denying them their due respects, despising and treating as frivolous and insignificant, their commissions."¹

Indians attempt to surprise the Dutch. Printz denies their right on the river. Strong expressions. June 3.

July 13. A charge was made against Governor Printz, of tampering with the Indians, by furnishing guns, &c., and endeavouring to purchase land from them, as appears by the following certificate, signed by Symen Root, Jan Hendricksen, and Dirck Dircksen, &c.: "The undersigned, all thoroughly acquainted with the language of the Maquas, solemnly declare, at the requisition of the honourable director-general, &c., in presence of said director and his predecessor, William Kieft, that it is true that we, being, on the 13th July, 1647, at the house of his honour, saw two chiefs of the Maquas arrive there; the one was named Aquanokus, and the other Kna-digken, who then, in proof of their willingness to continue with us in friendship and mutual intercourse, made some presents, and declared in our presence, that a missionary from the Swedish governor, John Printz, on the South River of New Netherland, residing, had said to them that he might sell to them as much powder, and balls, and guns as he pleased, but that the Netherlanders were too sordidly avaricious to do so. The Swedish governor told further these chiefs, that the Netherlanders were bad, the Swedes good men, and solicited further, that said chiefs would permit him

July 13. Certificate of Gov. Printz's tampering with the Maquas Indians.

¹ Hudde's Report, 436.

to establish a trading-house in the country, which they rejected. All this we declare that we heard said chiefs saying, at the house of the director-general, and are willing to sanction it with our solemn oath. Fort Amsterdam, July 13, 1647."¹

A person applies for permission to marry the widow of Arent Corssen, being persuaded he had perished, as nothing could be heard of him, after diligent inquiry. It will be recollected that he was drowned a year or more since.²

Hudde receives a deputation from the freemen lying at anchor, "humbly soliciting him to prepare and present, in their behalf, a request to the director-general, Stuyvesant, petitioning relief from the hindrances which they met with, which he effected and transmitted."³

Various injuries were received from the Swedes, by Simon Root, to his buildings on Wigguakoing, this year, for which he afterwards asks compensation, "as also for tearing down the Netherland arms, and the destruction of the commenced building put up by the clerk, A. Hudde; all which show that any further occupation would be prevented."⁴

In answer to the petition, Hudde received from the director-general a protest, which, on the 17th, he presented Governor Printz, who replied he would answer it in writing.⁵

The late director, Kieft, sailed for Holland in a ship of 400 tons, but through some miscalculation, the vessel was cast away on the coast of Wales, and the director and eighty other persons perished.⁶

Governor Printz, in February last, gave the government complete information "of the nature and actual condition of New Sweden, the progress of cultivation and the construction of dwellings in that country, all of which is infinitely agreeable" to the government, who in reply say, "they have remarked, with a particular satisfaction, the zeal, skill, and activity with which you have filled your station of commander," and they promise "to preserve him in memory, and reward his zealous and faithful services" with the "royal favour." But it appears he was not entirely satisfied with what they had already done for him, in the grant of "Teneko," for he now asked for "an augmentation of apportionment,"

¹ Albany Records, vol. iii. p. 258.

² Ibid. p. 52.

³ Hudde's Report, p. 437.

⁴ Holl. Doc. vol. viii. p. 59.

⁵ Hudde's Report, p. 437.

⁶ Winthrop, vol. ii. p. 316.

1647.

July 13.

Corssen's widow.

July 29.

Inhabitants petition Stuyvesant.

Damage by Swedes complained of.

August 15.

Stuyvesant protests.

August 16.

Director Kieft lost at sea.

Sept. 16.

Application of Printz to the government for more salary and land. They act cautiously.

1647. and that they would "deign to confer upon him certain lands and occupations." Upon this request the government appears disposed to act with caution, for they say, "we wish to reflect upon the means of arranging for the augmentation of salary," and "if the lands which you ask have not been given away, and they are not required for cavalry or soldiers, and the business having been examined in our chamber of finance, we shall be well disposed to grant you what is just, not doubting that as you have to the present manifested your zeal and fidelity, and that of the country, you will continue to act with the same zeal and fidelity, not regarding it too difficult and fatiguing to regulate and direct, for some time yet, the establishments of New Sweden, until we shall find another whom we can send to replace you."

Although we have no materials to show what further provision was made for him, yet we presume he was "rewarded" in some way for "his faithful services," as he remained here five or six years longer. Probably "Printzdorp," of which mention is made hereafter, was a part of the result of this application.¹

Sept. 28.
Hudde continued as commissary at Fort Nassau.

The director-general and council, "having considered the abilities of Andreas Hudde," unanimously resolved to continue him in the service of the West India Company, as commissary of Fort Nassau, his salary to be the same as paid "to other commissaries in such distant places." It seems some charges had been made against him, but were not substantiated.²

December 7.
Hudde goes to Manhattan.

Hudde having obtained permission to visit Manhattan, delivered the answer of Printz, which he took with him, to the director-general.³

A vessel is detained by Printz, and some of her cargo taken.

It appears by his certificate, that a vessel called the Siren, belonging to Jan Geruel, was stopped by Governor Printz; the vessel was examined, the goods were "very roughly handled, by turning every thing topsy-turvy, all tending to great damage and injury of my interest, taking out my war ammunition, being about sixty pounds of powder and six guns, but owing to my request, and my promise only to deal the same out in case of necessity, they returned some powder, about forty-seven pounds, and three guns, keeping the remainder for himself."⁴

¹ MSS. A. P. S. Reg. Penns. vol. iv. p. 315.

² Albany Records, vol. vii. p. 80.

³ Hudde's Report.

⁴ Holl. Doc. vol. viii. p. 59.

This year, the "Swan," one of the vessels which had accompanied Printz, arrives from Sweden a second time, bringing more people. The ship Black Cat, laden with ammunition and merchandise for the Indians, and two other vessels, the Key and the Lamb, are mentioned as arriving during Printz's administration.¹

1647.

Vessels re-
turn from
Sweden.

1648.

It having been found that the revenue from the excises on tobacco, according to the decree of 1642, did not ordinarily produce more than half that sum, it was now judged proper "to permit and grant that the company of the south may, for the state of New Sweden, and the support of the government there, retain and require the third of the excises of the crown, upon all confiscated tobacco, as also whatever profit the fines imposed for the contravention of our prohibition against the importation of tobacco, have already yielded, or which may in future arise from the violation of the ordinances against the secret introduction of tobacco in the kingdom or the Great Duchy of Finland; and also having found that the excises of tobacco, in 1641 to 1645 inclusive, had been employed for other purposes of the crown, and that in the mean time, the state of New Sweden had been supported by other revenues of the company of the south, the counsellors of the kingdom are authorized to refund their advances, and if the excise and fines are not sufficient for the annual support of New Sweden, the deficit is to be made up by the crown; and, on the contrary, any surplus is to be deposited among the revenues of the crown, and a clear account to be kept of them. As the company of the south, in order to facilitate the commerce of New Sweden, desires that a "part of all the manufactures of Holland arriving at Gottenberg, should be transported to New Sweden, it is ordained that such goods as are not landed for sale in Sweden, may pass without duty, as well as the tobacco and furs which enter the kingdom from New Sweden. But the tobacco sent by the company to Holland shall pay duty according to the tariff."²

January 20.

Ordinance
respecting
tobacco and
manufac-
tures, and
for support
of govern-
ment of New
Sweden.

A vessel arrived (at Fort Nassau) from below, with a *schover* sail, without colours, so that Hudde was doubtful about where she came from, or what she was. He ordered a

April 2.

¹ Acrelius, p. 410.² MSS. A. P. S. in Reg. Penns. vol. iv. p. 373.

1648.

Arrival of a
suspicious
vessel. Guns
are fired
from Fort
Nassau, to
bring her to.

gun fired over her, but she pursued her course; he ordered a second gun to be fired, "but it was no more minded than the first;" he immediately despatched eight men in pursuit, "but as the wind was fair, and the weather very hazy and very dark, they could not reach her." "After two or three days, he discovered it was the Swedish bark," which again descending the river, he "asked the skipper by what cause he passed the fort with a *doorgesehoten stengel*,"¹ without showing his colours, by which it might be known who the master was, though he had the colours with him, as was evident, since they were now flying; he answered very contemptuously, "that if he had known this would have come into consideration, he would not have done it now, but that he certainly should do so in future, if it was to irritate, and as a mark of his contempt." Hudde then delivered him the following act for the governor:

April 13.

Hudde's protest to John Printz, in relation to the above affair.

"Noble and valiant John Printz—Whereas your shallop, on the 3d instant, towards evening, sailed by the fort, and, contrary to custom, hath lowered his colours before it arrived near Fort Nassau, and passed without showing colours, by which it could be ascertained who was the master, contrary to our arrangements, which you approved, viz. that our vessels coming in the river are to stop near the forts, even when it is sufficiently known from where they come, so that neither your subjects nor ours might be exposed to any mishap, while it was to be feared that otherwise, under this cover, one or other foreign nation, to our great injury, might pass by. Wherefore I cannot withhold my deep surprise, with what object in view your honour permitted this vessel to pass by the fort under such a disguise. As far as I can judge, and considering what in such case might and ought to be done, against others arriving here without orders, it is certainly not the right course to cultivate a good understanding between neighbours, but it rather produces misunderstanding, which I could not have expected to have met with. I will in future, in a similar case, not neglect what my duty to maintain the due respect towards their High Mightinesses and the Prince of Orange, and the rights and immunities of my

¹ These Dutch terms, not being understood by the translator, are left in the original language. We learn that the *schover* is a *square* sail, and the other term means a *crippled mast* or *spar*, probably by one of the guns fired. It is difficult to ascertain the kind of vessels used; they are called sloops, shallops, barques, pinnace; the general term, vessel, would perhaps have been better.

lords and masters, requires of me. Wherefore I earnestly solicit that your honour will prevent it in future, as by a contrary conduct, I should be compelled, whenever any difficulties from it might arise, in behalf of my own innocence, to enter my protest, more so as the skipper, Claert Huygen, had the effrontry to boast that he only acted so to insult me, and that he should regret if he did otherwise in future. Farewell.

1648.

A. HUDDE.

“Done at Fort Nassau, 13th April.”¹

Hudde gives a further account of the proceedings of the Swedes, as well as of the Dutch.

“He was informed, during the whole winter, that the Swedes brought together a large quantity of logs, and that a great number were already carried to the Schuylkill, from which he apprehended the governor’s intention was to construct buildings near the place where vessels usually lay at anchor; and as those trading as before had been driven from Kinsessing, and we cannot approach the large woods to trade with the Minquas, by which trade being lost to us, the possession of this river, as before observed, would deserve very little consideration;” he therefore communicates the facts, and waits further orders what to do in case the Swedes do build and take possession of other unoccupied places; he proposes in that case to take possession of the tract of land nearest to him, in the name of the company.

Hudde’s account of proceedings of the Swedes at Schuylkill, in building there.

On the 4th of the same month, some of the sachems from the savages of Passayonk came to Hudde, and inquired why he did not build on Schuylkill, the Swedes having already done so? Upon inquiry next day, he found it to be the fact, and “in some places, too, of the highest importance.”

April 4.
Sachems inquire why the Dutch do not build too.

He therefore made preparations to build, and on the 27th went there, “with the most necessary timber; calling then, without delay, for the sachems, to whom he stated his intentions of building on the spot they had granted him.” They sent a message “to the Swedes who lived there already, and commanded them to depart, insinuating they had taken possession clandestinely, and against the will of the sachems, and they, the sachems, had ceded for the present to the Dutch, and that I (Hudde) should build there too.” Whereupon Maarte Hooch and Wissemenets, two of the chief sachems, “planted there, with their own hands, the colours of the

April 27.
The Dutch commence to build. The sachems help to raise the colours.

¹ Hudde’s Report, p. 437.

1648. { Prince of Orange, and ordered that I (Hudde) should fire a gun three times," in token of possession. This was done, and the house raised in presence of the chiefs. Towards evening, the Swedish commissary arrived, with seven or eight men, and asked Hudde "with whose permission or order I did raise that building." "I answered, by the orders of my masters and the previous consent of the savages." He asked further, if I "could show orders of my master, and not letters of some freemen. I answered, yes, and was ready to produce them, when he had shown by whose order he made the demand." "The sachems then said to Henry Huygens and his company," that they should grant us that tract, and we would settle there, and asked by what authority the Swedes had built there; "if it was not enough that they were already in possession of Mattenekonk, the Schuylkill, Kinsessing, Kakanken, Upland, &c., possessed by the Swedes, all which they had stolen from them; that Minewit now, about eleven years past, had no more than six small tracts of land up Paghaghacking, purchased to plant there some tobacco, of which the natives, in gratitude, should enjoy one-half the produce. If they, coming to them, (pointing at the Swedes,) should be permitted, when purchasing a tract of land, to take those next adjoining it, as the Swedes had done on the river, and yet continued to do, that they were greatly surprised, indeed, that they (the Swedes) would prescribe laws to those who were the original and natural proprietors of the land, as if they might not do with their own what they wished; that they (the Swedes) arrived only lately on the river, and had taken already so much land from them, which they actually settled, while we (pointing to us) never had taken from them any land, although we had dwelt here and conversed with them more than thirty years." Hudde continued the work, surrounding the house with palisades, "because the Swedes had destroyed before the house which the company possessed on Schuylkill, and built a fort in its place, and they perhaps might do the same here." While thus engaged, "arrives Moens Kling, lieutenant at the fort on Schuylkill, with 24 men, fully armed with charged muskets, and bearing maces, marching in ranks. He asked if we intended to finish that work. I replied, what was commenced must be finished too." He thereupon "commanded his men to lay down their muskets, and each take his axe in hand, and cut down every

Dutch commence to build.

tree which stood near and around the house, destroying even the fruit trees which I had planted there."¹ 1648.

The Dutch seem now to be aware that they had too long delayed fixing the limits between them and the Swedes and the English, for in a letter of this date, to Stuyvesant, the directors say, "We acknowledge that long ago we ought to have taken hold of the opportunity to fix the limits between the Swedes, the English and us, which before could have been executed with greater ease, when it was earnestly solicited by the agent at the Hague."² April 7.

Rev. John Campanius, Holm, returned to Sweden, after having been pastor here for six years. Prior to his coming to this country with Governor Printz, he had been preceptor of the orphans' house at Stockholm, when he received the appointment to accompany the colony as chaplain; on his return home, he was made first preacher of the admiralty, and afterwards pastor in Upland, (Sweden,) where he completed a translation of Luther's Catechism into the Indian (Lenni-Lenape) language, which had been commenced here in 1646, and is probably the first translation of any work into an Indian language of this country. His desire to be spiritually useful to the Indians, induced him to acquire their language, and the honour of being the first missionary amongst the Indians is therefore claimed for the Swedes, at least in Pennsylvania.³ A copy of this translation is in the library of the American Philosophical Society, and another, we believe, in that of Gettysburg College. It was printed at Stockholm, in 1696, in Delaware and Swedish, together with a vocabulary.⁴ "In this translation, Campanius accommodates the Lord's Prayer to the circumstances of the Indians thus; instead of 'give us our daily bread,' he has it, '*a plentiful supply of venison and corn.*'"⁵ May 16.

Departure, voyage, and death of Campanius. His translation of Luther's Catechism into the Indian language. History of New Sweden by his grandson.

As we have seen, he consecrated the first Swedish church at Tinnicum, and was, no doubt, its active pastor. The following is a sketch of his passage home. "Having obtained a proper passport from the governor and council, I sailed in the Lord's name, with my family, from *Elfsborg*, in New Sweden, on board the ship *Swan*, on 16th May, and on the 18th came into the bay; the distance between *Elfsborg* and

¹ Hudde, p. 440.

³ Clay, p. 28.

⁵ Records of Swedes' Church.

² Albany Records, vol. iv. p. 5.

⁴ Preface to Campanius.

1648. { the bay is nine miles, (Swedish,) and on account of the numerous banks in the river, we were three days in descending into the bay; on the 19th, we came to Henlopen; on the 4th June, began to see land, and on 13th, Plymouth, England; on the 14th, France, and saw two Swedish ships, 'New Fortune' and 'Julius,' coming from Sweden, the last a present to the King of France. On 17th June, saw Jutland; on 19th, entered the Sound, and came to Helsingör, and July 3, with Divine favour, entered Stockholm, being only 63 days, which was considered a remarkably short passage."¹ He died September 17, 1683, aged 83, and was buried in the church of Frost Hultz, where a monument is erected to his memory.² His son, it appears, was also in this country with him. From the notes and relations of the two, with probably some traditional help, the son of the *latter* (who was never in this country³) printed, in 1702, his description of New Sweden, which is generally quoted as "Campanius," by historians. It is remarkable that so many inaccuracies exist in it, especially with regard to the date of the first settlement of the Swedes, and which has led subsequent writers into many errors, some of which have been noticed.

June 7.
Two members of council arrive from Manhattan.

Upon hearing of the outrages and violence committed there, two members of the high council arrived on South River, L. Van Dincklage, and the honourable La Montagne, to whom the sachems and "original proprietors made, on the 10th, a public transfer of the Schuylkill, and sanctioned the former purchase by Arent Corssen, then commissary on the same Schuylkill, and all the adjoining lands, and of all which their honours took public and lawful possession." This transfer has already been given on page 35.

Rude treatment of them by Printz, at Tinneicum.

"After this, the honourable commissioners, with a becoming suite, sailed to Tinneconk, and were received there by Commissary Huygen and Lieutenant Pappegay, who left them about half an hour in the open air and a constant rain, and after they were admitted to an audience, delivered, among others, their solemn protest against Printz, against his illegal possession of the Schuylkill, to which he promised a reply before their departure."⁴

"Spots" of land were assigned by Hudde to different in-

¹ Campanius, p. 72.

² Ibid. p. 108.

³ Duponceau's Preface to his translation of Campanius's Memoirs, Pa. Hist. Soc. vol. iii. p. vi.

⁴ Hudde's Report, p. 440.

dividuals, at their request, on which to settle. One of these, Hans Jacobson, "made, July 2, a beginning to settle himself on the Schuylkill, which was prevented by the Swedes, the son of Governor Printz being commanded to execute this exploit, who tried to compel Hans to break down what he had already raised, and when he declined to do so, he did it himself, and burned the whole, with the following menaces, 'that if he there came again, and dared to build, he would carry off with him a good drubbing.'

1648.

July 2.

Lands are assigned to several Dutchmen to build upon. Their buildings are pulled down and burnt by Printz's son.

"No better fate awaited one Thomas Broen, who went thither on the 6th instant, to settle himself at *New Holm*, a certain place to which they had given this name. He was there scarce three hours, when the Swedes, under command of one Gregory Van Dyck, sergeant, arrived there, and pulled down all that had been raised by him, with a warning that he should retreat directly, or they would beat him off. In this situation affairs remained for some time."¹

Hudde, having been ordered to Manhattan, arrived there, and made his report on the situation of the South River, and recommended, in writing, what was necessary to be done. While there, also, he received by land, notice "that the Swedes had placed a house before Fort Beversrede, by which it was entirely barricaded." It was probably the letter from A. Boyer.²

Sept. 8.

Hudde, at Manhattan, hears of affairs at Schuylkill.

Commissary Hudde having left the Delaware for Manhattan, on a visit to the governor, in his absence the following letter from Fort Nassau is written, by Alexander Boyer, to Stuyvesant, detailing several occurrences there.

Sept. 25.

"The Swedish governor, John Printz, ordered, on the 16th September, that a house should be built here on the Schuylkill, in the front of our Fort Beversrede, about 30 to 35 feet long, and 20 broad, by which our liberty on said water is obstructed, so that our vessels which come to anchor under the protection of our fort, can discover said fort with difficulty. Sir, I am fully confident he constructed this building more to insult our lords and masters than to reap for himself any real advantage from it, because the ground in the same range with our fort is large enough to admit twenty similar buildings. The back gable of the house is only 12 feet from the gate of the fort, so that the house is placed within the water side and our fort.

Letter from A. Boyer to Stuyvesant. Proceedings at Beversrede.

¹ Hudde's Report, N. Y. Hist. Soc. p. 440. Alb. Rec. xvii. 268. ² Ibid. p. 441.

1648.

Maquas
chiefs arrive
with bea-
vers.
Anxious for
trade.

“On the 21st instant arrived here a chief from the Maquas’ land, with four of his tribe, bringing with him 30 or 40 beavers, to inquire whether no vessel was arrived from the Manhattans, as they had actually a large quantity of furs in their country, wherefore they are the more anxious for such an arrival. They seemed to be much dissatisfied that this river is not always crowded with cargoes by our nation. The Swedes have only a few cargoes here; if we had a great abundance, there is no question we might make a very lucrative trade with the Maquas.

Two Swedes
killed by
Maquas sa-
vages. The
garrison con-
sists of only
six men.

“Two Swedes, who, with 7 or 8 guns, some powder and balls, arrived here by the Maquas, to trade with them, have been killed by these savages. We, too, are daily expecting our commissary, A. Hudde, and with him your honour’s supply of our wants, as the winter approaches, and we are nearly in want of every necessary article. I am now garrisoned here with only six men, to defend two forts, that is, who are in full health, and able to make defence.”¹

October 5.

Hudde re-
turns. Sends
a note to
Printz.

The winter season approaching, Hudde returned from Manhattan on the 5th October, with a few freemen, to whom were delivered letters-patent to settle and build on the Schuylkill, “with whom being arrived on the 18th October, in the South River, was directly informed that the Swede placed his best hopes on the country of the Minquas, against the bargain concluded by us. To prevent similar frivolous pretensions, and to show that the contract was by no means broken by the honourable committee, I sent the following note to Hendrick Huygens, to be handed to the governor:

Note and
protest from
Hudde to
Gov. Printz,
detailing
some trans-
actions.

“Honourable and obliging good friend—Accept my cordial salutation. It is with deep regret that I was informed, on my return, that our fugitives can find no residence in the Minquas country, against the good intentions, indeed, of our director-general, who will not permit any thing shall be undertaken by his subjects against our contract, but he expects that similar conduct shall be holden on both sides; and as I am certain that some late proceedings must arouse suspicions, so I considered it my duty to send you this note in my defence, confident that on this point your governor will alter his mind. And whereas our freemen are permitted to follow and promote their private concerns, so is it, that meanwhile one of the Swedish officers, named Peter Jochems, in con-

¹ Albany Records, vol. v. p. 71.

tempt of us, tore, by night, the palisades from the Fort Rhee-de, with violence asunder, broke them all in this manner in pieces, and making use of the greatest violence, as well in words as deeds; whereon they renewed their labours, so that the whole was finished on the 4th November, which then, for the second time, was torn down by the Swedes, who broke, with great violence, every piece of timber, of which I transmitted a faithful account to the director-general. And whereas I do not possess any other arms but paper, against similar procedures, so did I deem it necessary to send the enclosed protest to his honour, John Printz."

1648.

November 4.

The following certificates enter into further detail of these matters on Schuylkill.

Certificate of Simon Root.—"We demanded that the Swedish lieutenant show his commission, when he exhibited to us the orders of his government, in which he is commanded, in so many words, not to permit a single post to be fixed in the ground, and that in case it was undertaken, then he should resist, and endeavour to prevent it with amicable words, or with force, could he not succeed otherwise; and he was further commanded to keep, continually, two men on guard near the river, to look out where we intended to build, and that they should resist the unloading of any timber."

Certificate of
Simon Root.

Certificate of several persons.—"That A. Van Tienhoven, S. Boyer and D. Dars, in the service of the West India Company, have expressly forbidden a Swedish lieutenant, in the name of their lords and masters, &c., to obstruct us in building on Mastmakers' Point, on Schuylkill, on South River, when the lieutenant replied that he had nothing to do with our government, that he followed his instructions which he had received from his government; to which they replied, that he would be responsible if any mishap arose, or any blood be spilled; on which the lieutenant commanded his men to destroy the building, which they executed by force, and scattered it in fragments on the ground."

November 5.
Certificates
of several
persons.

Another certificate.—"That we were, on the 4th November, on Schuylkill, at Fort Beversrede, and assisted at Mastmakers' Point; when engaged in this work, we were met by Swen Schute, lieutenant-commandant, in behalf of the Swedish crown, and commanded by Swedish governor, John Printz, who first forbade us to go on, and then stopped us by force of arms. Nevertheless, he relented, on the intercession

November 6.

1648.

Certificates
of Bevers-
rede affair.

of Tienhoven and Boyer, till they might receive further orders, which they obtained at night from Hudde; when said Lieutenant Swen Schute warned us, at sunrise in the morning of the 5th, that he received positive orders from Governor John Printz, to destroy the work which we constructed, when he, with his men, drew their swords and marched thither. On this unbecoming hostility, we followed their steps, till we reached the spot where the building was raised; there the lieutenant commanded his men to destroy the building, notwithstanding our remonstrances and request that he would desist, whereas, as he acknowledged their High Mightinesses were in negotiation with the crown of Sweden on this subject, when he proudly answered that he was commanded by his government that he ought not permit a single post to be fixed in the ground in the name of their High Mightinesses, but that he should destroy all which was attempted, and do so without delay; whereon they directly using their swords in lieu of axes, broke the building in pieces, notwithstanding we showed them the orders of the director-general, P. Stuyvesant, with our solemn protest before God and men; that we and ours were innocent of all mischief which might follow such a violent act; at which the aforesaid Lieutenant Schute replied, that Commissary Hudde 'was a villain and a rascal,' that he cared nothing about our government, and only executed the orders of the government; on which calumny Boyer retorted to Schute, 'You must be a villain yourself; do not slander a man, or do it in his presence, that he may defend himself.' Although this was just, nevertheless the above-said Schute grasped the hair of Boyer, but there further mischief was prevented."¹

November 7. In view of these things, Hudde, the commissary, addresses to Governor Printz the following pacific letter, from Fort Nassau:

"Noble honourable lord, John Printz—Whereas, by a commission issued by our honourable director-general, Peter Stuyvesant, to Simon Root, Peter Harmansen, and Cornelius Mauntz, to build on the Mastmakers' Point; the said Simon Root, by virtue of it, commenced raising a house on the 4th of this month, which, by your commander's orders, has been obstructed by violence, notwithstanding our earnest entreaties and remonstrances, that allies ought not to act in this manner

Hudde's letter and protest to Gov. Printz. Represents the causes of his complaint.

¹ Albany Records, vol. v. p. 6.

against one another, but rather, as it was their duty, and becoming, to negotiate and discuss together, in a friendly manner, if any business existed on which they disagreed, leaving it rather, in the last resort, to our sovereign masters, to settle such points in dispute; on which kind address your officer for a while seemed to abandon his plan, and to acquiesce in our kind proposals, but this condescension did not last long. On the 5th, with the rising sun, your officer again appeared, and warned A. Boyer and Ad. Van Tienhoven that he received orders to destroy the building aforesaid, which threatening he instantly executed, destroying the whole, and using the most contemptuous, villifying language against those who executed only their master's commands; which conduct must alienate the minds, and foster bitterness and rancor, in lieu of conciliating animosities between neighbours, who ought to live in amity and peace, as we have always been inclined to do; and to avoid with care, whatever might disturb our harmony, although too often opportunities offered us to indulge such propensities, if we had not been averse to such conduct; but even our good intentions have been misinterpreted: on which insolent assault on the authority of their high and mighty lords, and that of his serene highness, the Prince of Orange, with that of the honourable director and council, with destruction of the mutual harmony and friendship, we are compelled to insert our protest, declaring ourselves, before God and the world, innocent of the consequences which may result from such irregular and hostile proceedings, and solemnly declare that we have nothing else in view than to cultivate a good understanding with our neighbours, which we are yet willing to renew; while we remain your honour's good friend,

A. HUDDÉ."¹

1648.

Secretary Van Tienhoven writes to Governor Stuyvesant, Nov. 9. from Fort Beversrede, detailing the situation of things there, and urging his personal presence, as follows:

¹ Albany Records, vol. v. p. 10; also Hudde's Report, in N. Y. Hist. Coll. vol. i. N. S., p. 442, where the translation differs somewhat from the above. It is here dated September 7, which appears to be an error. See note in O'Call. vol. ii. p. 83. There is on the record a transposition of parts of the above, which renders it a little difficult to ascertain its meaning. Here closes the translation of Hudde's Report, so often referred to; it is rather a confused document, commencing with a profession to give the condition of things up to 1645, and yet embraces events in 1648. A minute of council, in 1648, September 9, notices the proposition to read the Report of A. Hudde. It is generally considered imperfect, but valuable for its many facts.

1648.

Letter from
Tienhoven
to Stuyve-
sant, detail-
ing proceed-
ings of
Swedes at
Beversrede,
and state of
trade with
Indians.
Director's
presence re-
quired.
Houses
pulled down
when erect-
ing.

“It would be a very desirable thing that you could take resolution to come on here in person, to examine the situation of the South River, because the Swedes do here what they please. The block-house which they built on Beversrede is the most insulting affront to the directors of the general privileged West India Company which could be inflicted, as they built it about 12 or 13 feet distance only from our pallisades, by which we are entirely excluded from the sight of the water on the kill; and occupied besides all the land around the fort, so that there is not so much left by the fort as to make a small garden in the spring. It is unbecoming that they should be permitted to do so, and therefore we are confident that his honour, the director, should move in it. Simon Root made a beginning for building his house, but it was soon destroyed by the Swedes, by force and violence. We asked again the Swedish lieutenant by what authority he acted, when he showed us the orders of his governor, in which he directed that he ought not to permit one single post to be placed in the ground by the orders of the high and mighty lords; neither should he permit any timber to be brought on shore, and so it happens, that the building of Simon Root cannot be finished, but must be delayed till we shall receive your further orders. But you may expect further information from Commissary Hudde.

High price
of beaver.
Measure by
the longest
Indians.

“What regards our trade with the Indians on this river, and the Maquas, this cannot cause us much injury, as some of the chiefs have informed us; but we must acknowledge that we wanted a greater supply of merchandise, as will appear from the annexed memoir. They continually renew their demand for powder and balls. What further respects our commerce here, this is nearly spoiled, as we are compelled to give two fathoms white and one of black seawant for one beaver; one fathom of cloth for two beavers; every fathom of seawant amounts to three ells, sometimes one-sixteenth less, so that, in my opinion, this barter is rather too much against us, as the Indians always take the largest and tallest among them to trade with us.”¹

Under the year 1634 we have already given the documentary evidence of the claim by Sir Edmund Plowden, to a large district of country on and around our river. This year there appeared in England a very curious book, entitled

¹ Albany Records, vol. v. pp. 10, 11. Holl. Doc. vol. viii. p. 57, 58.

"Description of New Albion," &c., by a certain Beauchamp Plantagenet. 1648.
 The only copy of this rare work that we know of, is in possession of our Philadelphia Library Company.

It has, however, been reprinted in the collection of rare and curious tracts, by Peter Force, Esq., of Washington. It is, we believe, generally supposed that the author, under an assumed name, is either the earl himself, or some person employed by him to write it. After a very laudatory dedicatory letter addressed to the earl, and preface, follow various chapters tracing the earl's pedigree through a long line of knights, earls palatine, &c., showing the title of the king, and his right to make the grant; a description of the country; a long letter from Master Robert Evelin, who is said to have resided here several years, and various other matters: from all which have been derived the greater part of what is said by later writers respecting this strange subject. It is deemed unnecessary for us to attempt to throw much light upon so obscure a matter, on which so much has been written. After giving some extracts from early records, we shall refer those who have any curiosity to know more about it, to the writings of several persons who have felt some interest in it, and communicated all that can be probably known about it.

Description of New Albion appears, by Beauchamp Plantagenet.

That there was such a person, or one who passed by that name, as Sir Edmund Plowden, in this country, appears abundantly proved by repeated references to him about the time, as well as to his scheme.

Sir Edmund Plowden in this country.

Lord Baltimore, in 1685, before the committee of trade, &c., "gives their lordships an account, that in the year 1642, one Ployden sailed up Delaware River."¹

Sails up the Delaware.

In the Albany Records, in 1644, are recorded the two following certificates, apparently fragments, there inserted, but unconnected with any other matter, so that it is impossible to ascertain why they were given.

Certificates respecting his interest in vessels.

"I, Peter Jansen, old about 22 years, declare, at the request of Mr. Moore, that he, being in 1643, on the River Appahannock, in Virginia, heard one Mr. Middeler say that the bark now belonging to Peter Laurents and Mr. Throckmorton, on which then Mr. Middeler was skipper, was the property of *Sir Edmund Ployden*, knight, viz. the half of the bark, and 2 hogsheads of flour, freighted on account of

¹ Votes of Assembly of Pennsylvania, vol. i. p. xvii.

1648. said knight, all which they would confirm by a solemn oath.¹ PETER JANSEN."

"Appeared before me, Cornelius Tienhoven, secretary in New Netherland, Richard Olossen, (?) who declared, at the request of Mr. Edward Moore, which he is willing to sanction with a solemn oath, that in 1643, Sir Edmund Ployden, knight, residing in Virginia, bought in *hietan*, (?) of Philip White, the half of the bark which is now owned by Peter Laurents and Mr. Throckmorton, besides 2 hogsheads with flour; all which they declared to be true. Done 7th July, 1644, in Fort Amsterdam, in New Netherland.

RICHARD OLESSEN."² (?)

He arrives
in Boston.

Winthrop, in his journal, says, in 1648, "that here, (Boston,) arrived one Sir Edmund Plowden, who had been in Virginia about seven years. He came first with a patent of a county palatine for Delaware Bay, but wanting a pilot for that place, he went over to Virginia, and there having lost the estate he brought over, and all his people scattered from him, he came hither to return to England for supply, intending to return and plant Delaware, if he could get sufficient strength to dispossess the Swedes."³

Notice of Sir
Edmund by
an early
Dutch work.

In a Dutch work, published in 1650, it is said, "We must now pass to the South River, called by the English, Delaware Bay. We cannot omit to say that there has been here, (New Netherlands,) both in the time of Director Kieft, and in that of General Stuyvesant, a certain Englishman, who called himself Sir Edward Plowden, with the title of earl palatine of New Albion, who claimed that the land on the west side of the North River to Virginia, was his, by gift of King James, of England, but he said he did not wish to have any strife with the Dutch, though he was very much piqued at the Swedish governor, John Printz, at the South River, on account of some affront given him, too long to relate. He said that when an opportunity should offer, he would go there and take possession of the river. In short, it amounts to this, according to the claims of the English, that there is nothing left for the subjects of their High Mightinesses."⁴

In the journal of Heermans, who was sent to Maryland

¹ Albany Records, vol. iii. p. 224.

² Ibid. p. 224.

³ Winthrop, vol. ii. p. 325.

⁴ Vertoogh von N. Nederland, translated by Hon. Mr. Murphy, for a forth coming vol. ii. N. S. of N. Y. Hist. Soc. Memoirs, with the perusal of which we have been politely favoured by the librarian, in advance, p. 324.

in 1659, with others, on a mission, he says, "that Edmund Plowden made, in former days, a claim on Delaware Bay, and that the one pretension had not been better supported than the other,"¹ (alluding to claim by Maryland;) and again, in their declaration, they say to Lord Baltimore, that he has not so much title "as Sir Edmund Plowden, who then, in former time, would make us believe he hath unto, when it afterwards did prove, and was found out he only subreptiff and obreptiff hath something obtained to that purpose, which was invalid."²

1648.

Notice of
him by
Heermans
and Wal-
dron.

In the same journal, it is stated, "that Plowden had not obtained a commission, and was thrown in jail, in England, for his debts. He (Lord Baltimore) acknowledged, however, that Plowden solicited from the king a patent of Novum Albion, which was refused, whereupon he addressed himself to the Viceroy of Ireland, from whom he obtained a patent, but it was of no value at all."³

It will thus be seen, that even at that early day, the proceedings and claim of the earl were viewed with suspicion and distrust.

We will now refer to some of the late writers relative to the subject; and first, to "an examination of Beauchamp Plantagenet's description," &c., by John Penington, published in part i. of volume iv. of *Memoirs of the Historical Society of Pennsylvania*, pp. 134 to 165, 1840, who has entered more fully into the consideration of this claim than perhaps, and prior to, any other. It is designated by a distinguished writer of New Jersey,⁴ as "a very caustic and shrewd examination of Plantagenet's pamphlet," and "would seem to prove that the whole story, with the embellishments of Evelyn, was a mere speculative trick, somewhat akin in design to the fair lithograph maps of city lots, primeval forests or unreclaimed marshes, which we have seen in our day exhibited to invite settlers and purchasers to the new El Dorado."⁵

Opinions of
later writers.

In the *London Gentleman's Magazine*, volume xiv. N. S., for August, 1840, p. 164, an English writer reviews Mr. Penington's examination, and takes an opposite view of the subject, and endeavours to prove its reality, by showing, from

¹ Albany Records, vol. xviii. p. 349, &c.

² N. Y. Hist. Soc. Coll. vol. iii. p. 379. Declaration of Heermans and Waldron, from Md. Records, furnished by Bozman.

³ Albany Records, vol. xviii. p. 369, quoted in Murphy's Notes to Vertoogh.

⁴ King's Address before N. J. Hist. Soc. 1845.

⁵ Ibid.

1648. { Burke's History of the Commons, volume iii. p. 250, the regular lineage of the earl, and that in a will of the celebrated lawyer, Serjeant Plowden, our knight is identified as "Sir Edmund Plowden, earl palatine, governor and captain-general of the province of New Albion, in America;" the will is dated July 29, 1655. He sums up his argument by saying, "it is clear to us that the pamphlet was issued with the consent, and probably at the procuration and charges of Sir Edmund Plowden; that he had actually obtained a patent under the seal of England or Ireland; considers it as analogous to that of Lord Baltimore, which may have served as a precedent for the language, and that Sir Edmund was prevented from taking possession of his principality by the previous occupation of a colony of Swedes and Dutch." He admits the name of Plantagenet to be fictitious, but the places and genealogy real; clearly identifies Master Evelyn as second son of R. Evelyn, of Godstone; and that he had resided with his uncle Young for several years, on Delaware or Charles River, and died in the West Indies.

Mr. Mickle, in his reminiscences of Gloucester, and Dr. Mulford, in his History of New Jersey, have both devoted considerable attention to the subject, especially the former, who "considers the attempt to erect a palatinate on the Delaware as real." See also Whitehead's East Jersey, C. King's Address before New Jersey Historical Society, Bancroft's United States, Gordon's New Jersey and Pennsylvania, Barker's Sketches of Settlements on Delaware, Smith's New Jersey, &c.

In a note by honourable Mr. Murphy, to a translation of *Vertoogh*,¹ before referred to, he enters at considerable length into a consideration of the claim to Long Island and New Jersey, and communicates some facts to show that there are still existing in Maryland, descendants from the family of Plowden.

General result. No trace of a settlement.

From what has been said respecting the persons and grants, of their reality, and actual presence in this country, it is pretty certain that no positive traces of the settlement are at present to be found, whether at Pensauken, Salem, or Fort Eriwomec, on Long Island, in Virginia, or Maryland; and "it remains for the researches of the Historical Society to establish where their settlement was, if it existed at all."²

¹ Vertoogh, note, page 323, N. Y. Hist. Soc. Coll. vol. ii. N. S. ² King.

1649.

Peter Stuyvesant writes to Hudde the following letter, May 23. which shows the further encroachments of the Swedes. "I saw with no less surprise than regret, by your very kind letter of 19th May, the bold enterprises of the Swedes in purchasing the lands all around the company's Fort Nassau, from which we cannot prognosticate any good to the company, reflecting on their former impertinent anticipations, by encroaching on the lands purchased and in possession of the company on the Schuylkill; which makes me fear that it will not stop here, and what I shall apply as a remedy I do not know indeed, but you may see from the enclosed extract, that even our limited powers were further circumscribed by particular circumstances, as otherwise, wherefore we cannot but highly approve that your honour purchased all the lands above the fort, and are very well pleased with it. I expect to be informed by your next, of the quantity and quality of the payment due, which, if these had been specified in your last, I would have endeavoured to find means for these payments, which I now must delay till your further orders."

Letter from
Stuyvesant
to Hudde.
Purchases
by Swedes
around Fort
Nassau.
Approves of
Hudde's pur-
chase above
Fort Nassau.

"The request of Thomas Swen and other freemen, who are residing in your honour's jurisdiction and that of the West India Company, were desiring to purchase above the fort, and to move thither with their families, and I cannot discover any reason why in this they should not be indulged; wherefore, as soon as the transfer of these lands shall have been made to your honour by the natives, the proprietors of the soil, then I will procure them letters-patent, in confirmation of their title."

The letter then speaks of "the plans of the Swedes to create impediments to the back part of the North River, above the fort, and to cut off our intercourse and commerce with Fort Orange," and continues, "that my remonstrances against the sinister views of the Swedes, and my sincere desire to prevent these, would be unacceptable, never struck my mind, because I presumed that you were principally sent thither for the purpose, and was by oath and duty bound to protect and maintain, to defend the rights and authority of the company, by all honourable and equitable means, and it is my express command that you will continue, as you did before, to follow the same track. I can believe, at the same

1649. { time, very well, from my own experience, that there is something in it, as we ourselves have, for similar faithful services, been rebuked, yea, often reproached and slandered, even by those who might have supported us; nevertheless, this neither ought or shall move us to act and serve in another way, as we are in honour and duty bound. An act of consent and maintenance shall be granted to freemen, provided that they conduct themselves as our other subjects, to take the oath of allegiance to our sovereigns and patrons. We cannot but approve, as good and expedient, your last proposal to purchase all the land, from the Narratikon kill to the bay, while the savages offer it for sale, and by this others might be prevented from becoming owners; but you will take good care, that in the transfer, the usual circumstances and solemnities are observed, and that these are well and correctly written, and signed by as many as can be obtained, viz. Christians who are not in the service of the company.”¹

Stuyvesant
to Hudde,
rather
sharply.

Approves of
proposal to
buy land
from Narratikon to the bay.

Explanation
by Andreas
Hudde, of
transactions
connected
with the purchases of
lands above
Fort Nassau.

The foregoing letter follows an explanation, by Hudde, dated May 16, 1662, of a patent, and is certified, by W. Beekman, to be a correct copy of the original. The explanation seems to be a history of some events which occurred in this or the preceding year. It begins by saying, “It is then so, sir, that Thomas Swen, (or Broen,) having obtained, in 1648, from the director-general, an act of consent that he might take possession of the *Mantes Corner*, being a spot about half a mile below the destroyed Fort Nassau, and reside there; which act the aforesaid Thomas Swen communicated to Johan Printz, (former Swedish governor,) and solicited his assistance in constructing his building, and otherwise, which was promised him by said Printz, but in lieu of assisting, the aforesaid Mantes Corner, with the adjoining lands downwards, were actually purchased by his honour, and a post, with the arms of the crown, erected upon it, by which the possession of the aforesaid Broen”² was prevented. Acrelius says, these lands extended from Mantua’s Hook to Narratikon, now Raccoon River, which Printz purchased, upon discovering the designs of the Dutch. He offered to Broen the privilege of settling there under the Swedish jurisdiction.³ This transaction is placed by Acrelius under 1646, which

¹ Albany Records, vol. xvii. p. 273, and vol. xii. p. 526.

² Ibid. vol. xvii. p. 271, Hudde’s Explanation.

³ Acrelius, p. 411.

1649.

must be an error, as Stuyvesant was not then in the country.¹ This explanation continues, "And whereas the aforesaid honourable Printz endeavoured to purchase the lands at the east side, above the aforesaid Fort Nassau, so far as Mesche-kesuins,² for which end he made great efforts among the savages, but whom he could not persuade to second his views. In the meanwhile, a warning was given by the savages, of the intention of the honourable Printz, as also by the free-men residing on the river, who owed allegiance to the West India Company, who too complained, that as John Printz pretended a right on the whole right side, and actually took possession of a spot of about 50 feet square, on the Schuylkill, which was in possession of our nation, and without these precincts no one dared to cultivate one single foot of land, or it was ruined by the Swedes, except as in so far they were tolerated, and so protested by said Printz, succeeded in purchasing the river side to the east; then they would be locked up so much within these parts of the Schuylkill, that they must be induced to abandon it too, when finally, nothing should be left them remaining except the corner on which Fort Nassau was, which place being of little use, if any, would not be inhabited by any individuals; neither would the beaver or free merchants, coming from the Manhattans, obtain from the savages one single beaver, but be compelled, if they would navigate the river and trade in it, to trade with the honourable Printz, which trade in beaver with the savages at present amounts to thirty, forty, and more thousand beavers, during a single trading season. They would be compelled to abandon entirely their trade on the river, and lose the prospect of obtaining any compensation for their expenses; and while the aforesaid honourable Printz urged the savages to gratify him in this respect, and they no longer could find any excuses to keep him any longer in suspense, they protested that if we, by this negotiation, were compelled to abandon the river, it should not be through their fault; that they were ready to sell the land above Fort Nassau, on which the free merchants solicited, whereas, as observed, this affair would not admit any further delay, and through the urgent

Value of
trade in be-
vers.

¹ O'Call. vol. ii. p. 165, note.

² Vertoogh, p. 283, speaks of a place, "Maghchachansie, near the Sankikans," which may be the same as the above. Campanius speaks of Mechakanzijaa, or Mechansia Sippus, on the Jersey side, probably Crosswick's Creek. Murphy, Campanius, p. 83.

1649. and importunate entreaties of the aforesaid Governor Printz, to avoid or prevent any further losses which otherwise might become unavoidable, that I should resolve to purchase the offered lands in behalf of the company. But as this was beyond my power, by want of means, so they offered to take their payment in cargoes, and requested to be permitted to purchase these, under the declaration made on the 6th April, 1649, that they were willing to transfer the whole of their lands to the company, when the money advanced by them should have been returned, and that then they should have the preference in the choice of the lands, on which they were then residing, and become the legal proprietors of them, by a transfer of the company on their behalf, and as we had no distant prospect, or any other more favourable issue, and the case did not admit any other delay, so I was compelled to comply with their proposal and request; and as they further solicited that I would contribute my share into it, so did I deem it a duty to comply with their wishes, as I could not perceive that it might be, in any respect, injurious to the company. The persons who purchased the lands on the aforesaid conditions, and whose names were expressed in the letters-patent, were Simon Root, Cornelius Mauntsen, Peter Harmens, Andreas Hudde, Sander Boyer, and David Davitsen, but Cornelius Mauntsen transferred his claim to Harmen Jansen, which aforesaid persons, except Andreas Hudde and David Davitsen, went directly thither, and purchased the lands at the east and west side; of which purchase, and the names of the lands, further cognisance may be taken from the letters-patent and transfers which were then made of it, and which have been deposited in the secretary's office in New Amsterdam, so too the names of the chiefs and sellers; of all which I directly despatched a messenger to his honour, and informed him of every thing which has occurred, of all which, with his honour's answer, I endorsed a copy on 7th September, 1651, which I then transmitted; and whereas, this business remained in the same situation, without any thing further being done in it, so is it that the purchasers solicited and renewed their requests more than once, that the transfers, for their security, might be made to them, to which I never could resolve, as it was my opinion that these letters-patent were not at all concerned in this transaction, and that sooner or later their advances should be reimbursed to them;

Names of
persons inter-
ested in
purchase.

at which they at last, as they could obtain the original, requested that it might be permitted to each of them individually to obtain a particular act, signed by the savages; to which I answered, they might do in this as they deemed proper, provided no infraction was attempted of this transaction, in conformity to the aforesaid conditions, viz. at the final disposal of the company. Thus it remained without any further consequences till 1655, when, by orders of the director-general, a special valuation of the amount of the purchase-money was delivered to Cornelius Tienhoven, at that time attorney-general, on which it followed among others."¹

1649.

"Lieutenant Swen Schute, with his men fully armed, notwithstanding the friendly remonstrance and just protestation of the Dutch, destroyed, with forcible hands, the materials brought on the Mastmakers' Point for building, and ruined altogether the foundation logs that were laid," and Cornelius Maunsen was compelled by them to move from the Mastmakers' Point, although being on the ground allotted to him by legal license and proper authority.²

Further hostile acts of the Swedes towards the Dutch on the Schuylkill.

The vessel of Juriaen Plancke was forcibly stopped by Governor Printz, and prevented from continuing her voyage. She was called the "Sea-horse."³

June.
A vessel stopped by Printz.

A certain Jacob Loper "petitions the director-general and council for permission to go to South River with a hired barque and cargo," which gave rise to some discussions in that body. It appears he had married the daughter of Cornelius Meylin, "who had summoned the director and council, by a writ, to appear in the Hague, or to send deputies there, at the stated date, to defend the judgment against Meylin." It is decided against the petition, one member in favour of it, two others having "some scruples," and the director-general deeming it "improper."⁴

June 14.
Petition to send a vessel to South River, rejected.

The following correspondence appears to have taken place between Governor Eaton, of New Haven, and Governor Stuyvesant, after the arrival of the latter. It relates to the injuries received by the English from Governor Kieft, against which frequent protests had been made, and whether the recognitions at Manhattans were to be enforced. Stuyvesant appears to justify the course of Kieft, supposing that he acted upon warrantable grounds.

June 17.

¹ Albany Records, vol. xvii. p. 271.

³ Ibid.

² Holl. Doc. vol. iii. p. 59.

⁴ Albany Records, vol. vii. p. 246.

1649.

T. Eaton to
P. Stuyve-
sant, inquir-
ing what is
to be, in fu-
ture, expect-
ed on the
subject of
duties, &c.

"The commissioners," says Eaton, "but conceive and conclude that the states you serve will approve and commend a just carriage and correspondence towards all the English colonies, and certainly in such cases of righteousness, the state of England will desist, and walk with them. We have formerly protested against Monsieur Kieft's injurious course at Delaware, and also when, as you have been informed, our rights there, as well known, not only to the English but to the Dutch, and Swedes, and Indians. We never claimed, nor do we desire to possess a foot of land to which you can show any just title, but we may neither lose nor let fall the English interests and claims in and to what we have purchased and paid for in those parts. * * * But I wish to be further certified, whether, on their trading at the Mannhattans, or on their passing by, to and from Delaware, Virginia, &c., we may expect a full freedom from all recognitions, impositions, and charges, by what name soever called, both for goods imported and exported, or what duties, restraints, or confiscations they must pay and submit to, and upon what grounds, that the merchant going his ways may walk safely, and the commissioners may order their counsels and courses accordingly, as they write to you from Plymouth, September 26, 1648. Yours, in all offices of love,

"THEO. EATON."¹

July 2.

P. Stuyve-
sant to T.
Eaton. In-
tends to fol-
low the or-
ders of his
masters.

Governor Stuyvesant replies, "Concerning your protests against my predecessor, Monsieur Kieft, about some passages at the South River, called Delaware, I doubt not but what he did was upon warranted grounds, and made you a sufficient answer; but concerning our right there, and of my intentions of maintaining it, I have always written to the governors of the Massachusetts and Plymouth, who I suppose will acquaint the commissioners with it.

"Whereas you write to me concerning your countrymen's trading here, and passing to and from Virginia and Delaware, &c., I have further orders from my sovereigns and masters, and am not to be responsible to any but them, nor regulated by any but them. Your assured friend,

"PETER STUYVESANT."²

August 2.

At a meeting of the commissioners of the United Colonies, at Boston, the inquiry was proposed, by Governor Eaton, on

¹ Albany Records, "Letters in Peter Stuyvesant's time," 1647 to 1664, vol. i.

² Ibid.

behalf of New Haven, "what course might be taken for the speedy planting of Delaware Bay; the title some merchants at New Haven have, by purchase from the Indians, to considerable tracts of land on both sides of this river, was opened," and the proceedings of the commissioners at a former meeting, in 1643, were read and considered. "A writing delivered into New Haven court, by Mr. Leech, concerning the healthfulness of the place, the goodness of the land, conveniency of the lesser rivers, with the advantage of a well-ordered trade there, was also perused. The commissioners with the premises, considering the present state of the colonies, the English, in most plantations, already wanting hands to carry on their necessary occasions, thought fit not to send forth men to possess and plant Delaware, nor by any public act or consent to encourage or allow the planting thereof; and if any shall voluntarily go from any of the colonies to Delaware, and shall, without leave and consent from the merchants at New Haven, sit down upon any part or parts of their land there, or in any other respects shall be injurious to them in their title and interest there, the colonies will neither protect nor own them therein; the New Haven merchants being, notwithstanding, left to their just liberty to dispose, improve, or plant the land they have purchased in those parts, or any part thereof, as they shall see cause."¹

1649.

Proceedings
of the United
Colonies on
settlement
on Delaware.

A letter was written by the commissioners of the United Colonies to the governor, Stuyvesant, on various subjects of complaint; among others, on the Delaware, in which they say, "we have perused what by way of answer you wrote the governor of New Haven, concerning Delaware Bay. We have formerly heard and considered the right and title our confederates of New Haven have to sundry tracts or parcels of land within Delaware Bay, by you called the South River, with the injuries they received from your predecessor, Monsieur Kieft, in anno 1643. Mr. Winthrop, governor of the Massachusetts, and president of the commissioners, wrote the apprehension and sense the commissioners had of his proceedings, received his answer, but without satisfaction; our friends of New Haven will neither encroach upon your limits, nor any way disturb your peace, but they may not let fail the English right and interest there."²

August 16.

¹ Hazard's Coll. vol. ii. p. 127. Trumbull's Conn. vol. i. p. 184. Records of the United Colonies.

² Hazard's Hist. Coll. vol. ii. p. 133.

1650.

Sept. 23.
Governor
Stuyvesant
arrives at
Hartford, to
meet the
commis-
sioners. Cor-
respondence
with them.
Agrees to a
reference.

Sept. 28.
N. S.

His arbitra-
tors, and
commission
to them.

English ar-
bitrators,
and their
commission.

After various solicitations from the New England commis-
sioners, Governor Stuyvesant concluded to meet them at
Hartford, where he accordingly arrived, and opened a corre-
spondence with them in writing, to avoid "all inconvenience
from speaking," which was for some days continued, chiefly
in relation to their own difficulties, occasionally touching upon
Delaware affairs. After settling as many points in this way
as they could, others presented which could only be arranged
by the aid of disinterested friends of each party; an arbitra-
tion was therefore mutually agreed upon, Governor Stuy-
vesant, commissioned, in writing, Captain Thomas Willett,
and Ensign George Baxter, "to treat and agitate with the
commissioners of the United English Colonies, giving and
granting them full power and authority to join with other
two, deputed by the English commissioners, and with them to
treat, agitate, and examine all or any difference betwixt the
two nations in these parts, and absolutely, by the joint con-
currence of the other two deputies, to end and determine
them, according as they, in their wisdom and integrity, shall
think just and right, with power to enter into such terms of
accord for provisional limits, and league of love and union
betwixt the two nations in these parts, as to them shall seem
expedient, ratifying and confirming, and by virtue of these
presents, will stand bound to ratify and confirm whatever my
said deputies shall agree to on my behalf, according to such
directions and instructions as we have given them."

The New England commissioners, on their part, "by virtue
of letters-patent granted by the kings of Great Britain, under
the great seal of England, for all New England lying in that
part of America, from north latitude of 40 to 48 degrees,
and according to the confederation formerly made, and a full
power this year given by the four general courts of the Mas-
sachusetts, Plymouth, Connecticut, and New Haven, to the
present commissioners, by which they are enabled to treat
and conclude in matters of public concernment, that former
and late grievances betwixt the honoured governors or agents
for the High and Mighty States of the United Belgic Pro-
vinces, in such parts of America as are possessed or justly
belonging to the said high and mighty, &c., and the Eng-
lish colonies, may be duly composed, and a just and neigh-

bourly correspondence settled. Confiding in the integrity and sufficiency of our worthy friends, Mr. Symon Bradstreet and Mr. Thomas Prentice have, and do hereby entreat and delegate them to agitate, treat, and conclude with the deputies appointed, &c., by Peter Stuyvesant, Esq., the present honoured governor of the province of New Netherland, to consider and compose all differences, to agree and conclude provisional limits in all places where there is a question of title or bounds, a course for ordering or returning fugitives, and settling a just correspondence, ratifying and by these presents confirming what our said deputies, according to directions and instructions given, shall agree and conclude in the premises, or any part thereof." 1650.

The arbitrators, being thus duly commissioned, met, and "upon a serious examination and consideration of the particulars committed to reference, delivered in their award," from which we extract what relates to our subject. Sept. 29.

1. "Upon serious consideration of the differences and grievances propounded by the two English colonies of Connecticut and New Haven, and the answer made by the honoured Dutch governor, Peter Stuyvesant, Esq., according to the trust and power committed unto us as arbitrators or delegates betwixt the said parties, we find that most of the offences or grievances were things done in the time, and by the order and command of Monsieur William Kieft, the former governor, and that the present honoured governor is not duly prepared to make answer unto them; we therefore think meet to respite the full consideration and judgment concerning them, till the present governor may acquaint the High and Mighty States and West India Company with the particulars, that so due reparation may accordingly be made. Award of the arbitrators. Gov. Stuyvesant not ready with proofs. A full decision is postponed, the difficulties having occurred in Kieft's time.

2. "The commissioners for New Haven complained of several high and hostile injuries which they and others of that jurisdiction have received from and by order of the aforesaid Monsieur Kieft, on Delaware Bay and River, and in their return thence, as by their former propositions and complaints may more fully appear; and besides the English right claimed by patent, presented and showed several purchases they have made on both sides the river and bay of Delaware, of several large tracts of land, unto and somewhat above the Dutch house or fort there, with the consideration given to the said sachems and their companies for the same, New Haven commissioners state their grievances, and assert their rights by purchase.

1650.

Amount of
their dam-
ages.

Dutch go-
vernor as-
serts his
claim to the
Delaware,
though not
ready to
prove it.

Arbitrators
refer the
final decision
to England
and Holland,
leaving both
parties to
pursue their
interests on
Delaware in
love and
peace.

acknowledged and cleared by the hands of the Indians, whom they affirm were the true proprietors, testified to by many witnesses; they also affirmed, that according to their apprehensions, they have sustained £1000 damages, partly by the Swedish governor, but chiefly by order from Monsieur Kieft, and therefore required due satisfaction, and a peaceable possession of the aforesaid lands, to enjoy and improve according to their just right. The Dutch governor, by way of answer, affirmed and asserted the right and title to Delaware, or the South River, as they call it, and to the lands there, as belonging to the High and Mighty States and West India Company, and professed he must protest against any other claim, but is not provided to make any such proofs as in a treaty might be expected, nor had he commission to treat or conclude any thing therein; upon consideration whereof, we the said arbitrators or delegates, wanting sufficient right to issue and determine any thing in the premises, are necessitated to leave both parties in *statu quo prius*, to plead and improve their just interests at Delaware, for planting or trading, as they shall see cause, only we desire that all proceedings there, as in other places, may be carried on in love and peace, till the right may be further considered and justly issued, either in Europe or here, by the two states of England and Holland.”¹

The award was signed by the four arbitrators; and the Dutch governor, in the presence of all the commissioners, and on the pledge of his arbitrators as security, promised to abide by their decision.

1651.

March 21. The following extract of a letter from the directors of the West India Company, in Amsterdam, to Governor Stuyvesant, shows that the Dutch were endeavouring to fix their boundaries between them and the Swedes.

“It is our further intention to apply to the Queen of Sweden,² to try if we might succeed to determine upon the limits between us and the Swedes, in regard to South River. Your honour will, in the mean time, endeavour to maintain the rights of the company, in all justice and equity, while we again recommend that your honour will conduct himself with

¹ Hazard's Hist. Coll. vol. ii. pp. 171, 172, and 218, where the whole award may be seen at length.

² She was crowned last year.

that discretion and circumspection, by which all complaints, disputes, and coolness between friends and allies may be avoided." It would also appear that it had been intimated to the company that it might be for their interest to have no property except on Manhattans, as they say, in reply to a suggestion to that effect, "nevertheless, we can prove to have purchased many large tracts at the South River."¹ 1651.

An application was made by New Haven to Plymouth Colony, for aid in making their settlement on Delaware, and declined, as appears by the following record: "Whereas, by a letter from New Haven, aid by them was requested and required in following a plantation at Delaware, against such as now oppose them in that respect; the court having considered thereof, think it not meet to answer their desire in that behalf, and will have no hand in any such controversy about the same."²

June 5.

Plymouth
refuses aid
to New Ha-
ven, in set-
tling on the
Delaware.

The following view of the conduct of the Swedes is presented in a long Dutch document of this date, taking a general retrospect of occurrences from the time of erecting Fort Nassau, which we have already referred to at the appropriate dates. What now follows relates principally to this period.

"The Swedes, who daily increase in numbers, as likewise in boldness, have not only ordered their own people to drive no trade with the company's inhabitants, nor to pay to them their debts, have likewise strictly forbidden them to suffer our inhabitants to lay out farms, country-seats, or gardens, between their trading-house and the company's Fort Beversrede, it even being the company's own indisputable lands, having been purchased a number of years before the arrival of the Swedes from the natives and rightful owners, and as by legal certificate, showing the authority given to the company, as before mentioned. Notwithstanding this, their insufferable boldness has been so great, that they, against all laws of nations, tore down and totally ruined, with forcible hands, the houses, country places, and gardens that were erected and placed on the company's own lands, being again to the great disrespect of the States and the company, and to the notable injury of the interests of those people who had settled and established themselves as subjects, and under the protection of the States-General and the company, all which

July 16.

Detailed pro-
ceedings of
the Swedes
against the
Dutch, in a
remon-
strance from
aggrieved
persons.

¹ Albany Records, vol. iv. pp. 46, 47.

² Plymouth Colony Records, vol. iv. p. 234. Hazard's Hist. Coll. vol. i. p. 554.

1651. appears from letters and documents sent from New Netherlands, and especially by the before-mentioned subjects, in the following remonstrance to the company's director-general, Peter Stuyvesant."

The remonstrants commence by stating, that they lived upon the island Arumirne, in the Schuylkill, and settled there under the protection of the West India Company; that they had previously remonstrated against certain sufferings from the Swedes, by force and violence, and refer to various acts in 1647 and 1649, which have been already noticed in those years. They now enumerate some occurrences in the present year.

Complaint
of Cornelius
Mauntsen,
&c. Garden
and improve-
ments de-
stroyed by
Swedes.

"The following violence was committed, according to the clerk, Hudde, in 1651, on the inhabitants of Fort Beversrede, viz. Cornelius Mauntsen, Symon Root, and Philip Jansen, on their reasonable request for some land to sow some garden truck, had, by consent of the clerk, assigned them a small spot of land behind the fort, where the sowing was effected. An express sent by Printz completely ruined it, and the improvements that were put upon it for the preservation of what was sown, publicly burned.

Complaints
of others.
Building de-
stroyed.

"Peter Cornelessen and Regnier Dominicus having been shown a place on the island, were prevented from sowing by the Swedes; they made preparations for building about the middle of April, the foundation logs were laid, the up-and-down posts put up, which were all ruined by them, yes, even every thing cut up for firewood.

Sander Go-
vertsen, &c.
prevented
from build-
ing, &c.

"A spot of land, by extra license and order of director-general, was allotted and measured out, about 22d May, by Hudde, for Sander Govertsen, Abraham Schaets, and Gerrett Hendersen, on the same island. Govertsen brought his boards on the ground, but was prevented from building, by H. Huygens and Jan Pappelay, fully armed, authorized by Printz, in a forcible manner.

Ask com-
pensation for
injuries re-
ceived.

"Over this violence and prevention of our most necessary matters done to us by the Swedes, we that live here, as well as we that come here with our vessels, complain to your honour, and request becoming compensation for the injuries and damages sustained.

Payments
refused by
Swedes, un-
der sanction
of Printz.

"And further, we complain, that Simon Root and Cornelius Mauntsen have likewise been refused payment by the Swedish subjects, pretending, as they were his subjects, they

need not pay; and we likewise declare, that the Swedish subjects have declared to us, that it has been forbidden by their governor, Printz, to have any transactions whatever with us, and which has likewise appeared at several times.¹ 1651.

“From all these unheard of and insufferable proceedings, it sufficiently appears that their intentions were to deprive and dispossess the company of the whole of the river; wherefore the before-mentioned director, Stuyvesant, was obliged this year to make his personal appearance, to preserve and protect the company’s rights and jurisdiction, and for the maintenance of their subjects. Having arrived there, he made known, or caused to be made known to the Swedish governor, Printz, as well by letters as by deputation, the right the company had in general, in virtue of their first discovery, and the taking possession of the before-mentioned river, and which was confirmed and became indisputable by the purchase of several tracts of land, among which was that of the Schuylkill, which took place many years before the Swedes arrived there, offering to prove it by land certificates and authorization papers, requesting Printz, on his part, to produce proof of what lands he or his people had purchased from the natives and owners, and the authority to possess them. On which merely a simple writing was received, wherein Printz determined the Swedish limits wide and broad enough, yet without any justification or proper proofs, giving as an excuse, that all the papers relating to the purchase of lands were not at hand, but deposited in the chancellery at Stockholm, where he says he is sure of having seen them.”

“That these excuses were entirely divested of truth, appeared shortly afterwards, as the governor, then only, tried to purchase such lands from a certain sachema or Indian chief, called Waspang Zewan, as were settled on by his people, and that he maintained to belong to his limits, to which the Indian chief was not inclined, and refused, as he said, because the Swedes had, for a long time, and against his inclination, and with a forcible hand, kept possession of a part of said lands, without ever having given him the least consideration for them; this the chief declared verbally and in writing, to the director, in presence of several credible persons, to whom he presented, (for the company,) and gave authority in a proper manner, to inherit and possess for ever the before-mentioned

Dutch charge Swedes with intention to deprive them of the whole river.

The presence of Stuyvesant requested. He arrives, and has communications with Printz, on his rights by possession and purchase, before arrival of Swedes. Demands proof from Printz.

Printz says his proofs are in Sweden.

Printz tries then to purchase the land from Indians, who refuse, as he had taken them forcibly.

Indians present the lands on both sides to Stuyvesant, from Christina Creek to Bombay Hook.

¹ Holl. Doc. vol. viii. p. 59 to 65.

1651. lands, creeks, and appurtenances, so unjustly and forcibly possessed by the Swedes, both on the east and western shores, commencing on the eastern from the Narraticonsche, or Raccoon Creek, stretching down the river to Maetsinging, and on the western shore, from a certain creek called Neckatoensing, to the westward, along the river to Settoensoene, also called the Minquas Creek, on which is the Swedish fort Christina."

July 19. Confirmed publicly before numerous witnesses. Indians deny having ever sold lands to Swedes, except about Christina.

Trifling compensation for the lands.

"For further tranquillity and security, all the Indian chiefs who lived near the river, and all the owners of the land in the neighbourhood, were summoned by the said director, Stuyvesant, to put some questions to them in the presence of several persons," whose declarations and names are on record.¹ The Indians denied having "ever sold or presented any parcels of land to the Swedes, as they pretended, excepting the ground on which Fort Christina is situated, and a certain garden about there, to plant tobacco in; and they moreover declared, all the land from said fort down towards Bombay Hook, called by them Neuwsings, several miles in extent, they wished to bestow as an inheritance for ever, to the company, for which the director very politely thanked them, saying that he would rather give them a proper compensation for the same, which they then especially and fully accepted. The papers were then properly prepared and signed, the chief, Pemmenatta, only conditioning 'that they should repair his gun when out of order,' and give the Indians, when they required it, 'a little maize.'"²

For security, Stuyvesant concludes to build Fort Casimir, as Fort Nassau is out of the way, which he breaks up. Printz objects, but they conclude to live in peace. Stuyvesant prepares to return to Manhattan.

The land being thus secured, for further security, and to remove all possible pretensions the Swedes might make therefor, the said director found it necessary, for the safety of the company's jurisdiction, and protection of their subjects, to build another fort, "as Fort Nassau was too far up, and laid too far out of the way;" he therefore concluded to break up Fort Nassau, and choosing a reasonably well adapted place, (on the company's own ground,) about one mile (Dutch) from the Swedish Fort Christina, which fort was called Casimir; being finished, and provided with people as opportunities offered, the director made preparation for his return to Manhattan. Previously, however, to his departure, he had several conversations with Governor Printz, "wherein they mutually promised to cause no difficulties or hostility to each other,

¹ See them in O'Call. vol. ii. p. 166.

² Ibid.

but to keep neighbourly friendship and correspondence together, and act as friends and allies,"¹ although the erection of this fort was protested against by Printz. 1651.

The location of Fort Casimir was near the present town of New Castle, a short distance north of it, and it is believed can be correctly ascertained at this day, from the ground, as well as by the records, describing lots around it. It soon became a very important point. Whence it derived its name does not appear, and excited the surprise of the company when they heard of it, being rather a Swedish than a Dutch name.

Location and names of Fort Casimir.

In consequence of the agreement entered into last year, between the Dutch and English, and the mutual profession of future harmony and peace, a number of families, during the last winter, were making preparations to settle on the Delaware. In March of this year, all arrangements being made, about fifty men from New Haven and Sotocket hired a vessel to transport themselves and their effects to that part of the country. They were furnished, by Governor Eaton, with a commission, as well as with a friendly letter from each of the governors of New Haven and Massachusetts, to the Dutch governor, acquainting him with their design, and assuring him that, according to the agreement, they would confine their settlements to their own lands, and in no ways trouble their neighbours. On their arrival, however, at Manhattan, which they might have avoided, and delivering their letters to Stuyvesant, very much to their surprise, the bearers of the letters were immediately arrested, and kept under guard as close prisoners, and the residue of the company ill treated, as appears by the following petition of the parties to the commissioners.

Sept. 14.

A party of fifty goes from New Haven to Delaware, but is stopped and ill-treated at Manhattan.

"To the honoured commissioners for the United Colonies, now assembled at New Haven:—The humble petition of Jasper Graine, William Tuttill, and many other the inhabitants of New Haven and Sotocket, humbly sheweth, that whereas divers years since, several merchants and others of New Haven, with much hazard, charge, and loss, did purchase of the Indian sagamores and their companies, the true proprietors, several large tracts and parcels of land on both sides of Delaware Bay and River, and did presently begin to build and to set up factories for trade, and purposed to set up plan-

Petition of the parties, presented after their return, to the commissioners.

¹ Holl. Doc. vol. viii. p. 32 to 50.

1651. tations within their own limits, whereby the gospel also might have been carried and spread amongst the Indians in that most southerly part of New England, and the United Colonies might before this time been enlarged, with conveniency both for themselves and posterity, had not the whole work, by hostile and injurious opposition made both by the Dutch and Swedes, been then hindered.

Statement of
their treat-
ment by the
Dutch go-
vernor.

“And whereas your petitioners, straitened in the respective plantations, and finding this part of the country full, or affording little encouragement to begin any considerable new plantations for their own comfort and conveniency of posterity, did, upon a serious consideration of the premises, and upon encouragement of the treaty between the honoured commissioners and the Dutch governor, the last year, at Connecticut, by agreement, and with consent of the said merchants and others, resolve upon a more difficult remove to Delaware; hoping that our aims and endeavours would be acceptable both to God and to his people in these colonies, being assured our title to the place was just, and resolving, (through the help of God,) in all our carriages and proceedings, to hold and maintain a neighbourly correspondence both with the Dutch and Swedes, as was assured them both by the tenor of the commissions, and by letters from the honoured governor of this jurisdiction; to those ends, and with these purposes, preparations were made in the winter, a vessel was hired, and at least fifty of us set forward in the spring, and expecting the fruit of that wholesome advice given at Hartford the last year, in the case by the arbitrators jointly; those chosen by the Dutch governor concurring in it, we went to the Manhattoes, which we might have avoided, and from our honoured governor presented a letter to the Dutch governor, upon perusal whereof, (without further provocation,) he arrested the two messengers, and committed them to a private house, close prisoners under a guard; that done, he sent for the master of the vessel to come on shore, as to speak with him, and committed him also; after which, two more of the company coming on shore, and desiring to speak with their neighbours under restraint, he committed them as the rest, then desiring to see our commissions and copy them out, promising to return them the next day; though the copies were taken, and the commissions demanded, he refused to deliver them up, and kept them, and the men imprisoned,

till they were forced to engage, under their hands, not then to proceed on their voyage towards Delaware, but with loss of time and charge, to return to New Haven, threatening, that if he should after find any of them in Delaware, he would seize their goods, and send their persons prisoners into Holland, and accordingly they returned, though their damage thereby, as they conceive, doth amount to above £300; all which your petitioners refer to your wise and serious consideration, and being assured you will have due respect to the honour of the English nation, which now suffers by this injurious affront, taken notice of by all the neighbouring Indians, they humbly desire that some course may be agreed and ordered for the due repair of their losses, satisfaction for their unjust imprisonment, with liberty and encouragement to improve their just rights in Delaware for the future, to which purpose they further humbly offer to consideration,

1651.

“1st, That Delaware, in the judgment of those that have often and seriously viewed the land, and considered the climate, is a place fit for the enlargement of the English colonies at present, and hopeful for posterity, that we and they may enjoy the ordinances of Christ, both in spiritual and civil respects.

“2d, They fear that if the English right be not seasonably vindicated, and a way opened for the speedy planting of Delaware, the Dutch, who have laid already an injurious hand both upon our persons and rights, they having, (as is reported,) lately begun a new fortification and plantation upon our duly purchased lands, will daily strengthen themselves, and by large offers, draw many of the English to settle and plant under them, in so hopeful a place, which will not only be dishonourable to the English nation, but inconvenient to the colonies, and of mischievous consequences to the persons who shall so settle, in reference to that licentious liberty there suffered and practised.

“3d, As the petitioners have not in their eye any other considerable place within the limits of New England, either for the enlargement of the colonies at present, or for comfort and conveniency of posterity, so if the Dutch may thus openly oppose us in our persons and rights, if they may plant and fortify upon the land which themselves, the English, Swedes, and Indians know to be ours; it may encourage them to encroach and make further hostile attempts upon

Ask the aid
of the com-
missioners.

1651. { some or other of the smaller English plantations, to bring them under their government, and may animate the Indians, with whom the Dutch ingratiate themselves by a large, constant, mischievous trade in guns, powder, and shot, to despise and make assaults upon us; wherefore they again humbly entreat your advice, with seasonable and suitable assistance, according to the weight and import of the case, that all your consultations and labours may tend and issue in the honour of Christ and welfare of the colonies."

"The foregoing petition being presented and read, the commissioners took into serious consideration the contents thereof, and what was to be done therein.

"They considered the English right to Delaware by patent, the right of the merchants and other inhabitants of New Haven to certain tracts and parcels of land there by purchase, the injury done them by the Dutch, both formerly and this last summer, in their hostile and forcible proceeding against them, as the petitioners relate, and the great affronts thereby given to the English nation, the insolency of the Dutch, and the contempt it is like to bring the English into among the Indians, if some speedy course be not taken to prevent it, by righting the oppressed.

"As also the commodiousness of the place for plantations, and how prejudicial it may be to the English in these parts, if it should be planted by enemies, or people of another nation, not being unmindful of the strait accommodations of many in several places, and the benefits of trade with the Indians in Delaware, if prudently managed.

"They likewise considered what had passed betwixt the Dutch governor and the commissioners the last year, at Hartford, and that advice given by the delegates of them, both for the quiet and peaceable improvement of their several rights in Delaware, till the aforesaid difference shall be determined in Europe.

"The commissioners, upon these and several other considerations, thought meet to write to the Dutch governor, to protest against his injurious proceedings, to assert the English right, and to require satisfaction for the damage done to our friends and confederates of New Haven; and to declare unto the petitioners, in way of answer to their petition, that however we think it not meet to enter into a present engagement against the Dutch, choosing rather to suffer injuries and

affronts, (at least for a time,) than in any respects to seem to be too quick, yet if they shall see cause again to endeavour the planting of their fore-mentioned purchased lands in Delaware, at any time within these twelve months, and for that end shall at their own charge transport together 150, or at least 100 able men, armed, with a meet vessel or vessels, and ammunition fit for such an enterprise, all to be allowed and approved by the magistrates of New Haven jurisdiction, or the greatest part of them, that then, in case they meet with any hostile opposition from the Dutch or Swedes, while they carry themselves peaceable and inoffensively, that may call for further aid and assistance, the commissioners do agree and conclude that they shall be supplied by the several jurisdictions, with such a number of soldiers as the aforesaid commissioners shall judge meet, they the said plaintiffs bearing the charges thereof, for the true payment whereof, the purchased lands and trade there with the natives shall be engaged till it be satisfied, provided also, and it is agreed, that such persons as shall transport themselves to the aforesaid lands in Delaware, either out of New Haven colonies or any of the other three, shall be and remain under the government and jurisdiction of New Haven till the commissioners of the United Colonies shall otherwise order the same."

1651.

Encourage-
ment held
out to the
petitioners.

The following is their letter to the Dutch governor :

"Much honoured sir—Before we parted last year at Hartford, you gave us hopes of a comfortable meeting at New Haven this year, what directions you had from Europe, to maintain peace and neighbourly respects with the English in America, you then showed and best know what other commissions you have since received ; but all the colonies take notice that now you walk in contrary paths ; you told us of a protest you must make against such as should plant or improve (though but their just rights) on Delaware ; we saw no cause for that, but know that both your predecessor and yourself had, without cause, formerly protested against some of the colonies, but in yours, dated April 11th, 1651, *stilo novo*, sent to the governor of New Haven, we observe you threaten force of arms and martial opposition, even to bloodshed, against such as shall go about to improve what they have proved to be justly theirs in Delaware, and yet show no more of any just title you have thereunto than you did at Hartford, which left all the delegates, both for the English

Letter to the
Dutch go-
vernor.

1651.

{

and Dutch, therein unsatisfied: in the said protest you also affirm that the planting, &c. of Delaware by the English interest, is contrary to the provisional agreement made betwixt yourselves and the commissioners for the English colonies, which we marvel at, those records clearly expressing the contrary."¹

Sept.

A letter was written by the commissioners, to Edward Winslow, who at this time appears to have been acting as an agent for them in London, in which they speak of the preceding transactions of the Dutch in the following terms:

Letter from
the New Eng-
land com-
missioners
to Edward
Winslow, in
London, in-
forming him
of the late
transactions
of the Dutch,
and asking
information
respecting
patents, &c.

"We understand Mr. Eaton hath at large written to you about their just title to considerable parts of land on both sides of Delaware Bay and River; how they were formerly disturbed in their trade and planting, by force and other unlawful practices, both of Dutch and Swedes, yourself may remember, and he hath acquainted you with a late unneighbourly and injurious carriage of the Dutch governor, when at least fifty of the New Haven jurisdiction were on their way to plant there, but were stayed, imprisoned, and forced to return, with great loss to those interested in that design; and hath desired your help in procuring a patent. These things, by a petition from those concerned, have been recommended to our consideration. We are justly sensible of the dishonour put upon the English nation by this unjust affront, of our duty to preserve the English title to so considerable a place as Delaware, and that a just repair and satisfaction be made to those so wronged, both in their persons and estates, and from you desire information what esteem the old patents for that place have with the parliament or council of state, where there hath been no improvement hitherto made by the patentees; whether the parliament hath granted any late patents, or whether, in granting, they reserve not liberty and encouragement for such as have or shall plant upon their formerly duly purchased lands, as also how any engagement by the colonies against the Dutch, upon the afore-mentioned occasion, will be resented by the parliament, of which we desire information by the first."²

Does not the inquiry here proposed appear to imply that no improvements had been made by the English heretofore?

October.

The people at New Haven persisted in their purpose of making, if possible, a permanent settlement upon their lands

¹ Hazard's Hist. Coll. vol. ii. p. 195.

² Ibid. p. 181.

on Delaware; satisfied that it was of great importance to have for their leader a man of known courage, and military skill and experience, they applied to Captain Mason, to remove with them to Delaware, and take the management of the company. The offers to him were so liberal that he was inclined to accept them, but his services at home being deemed essential by the general court at Connecticut, they unanimously requested he would abandon all thoughts of going to Delaware, to which he yielded, and the design was abandoned.¹

1651.

Capt. Mason
invited to
command
English.

1652.

The directors of the company in Amsterdam were not prepared to receive the news of the demolition of Fort Nassau, the erection of Fort Casimir, or even that Director Stuyvesant contemplated a visit to the Delaware, and express their surprise in the following letter, dated April 4, 1652.

April 4.

"Your journey to South River, and what has passed there between you and the Swedes, was to us very unexpected, as you did not give us, before, so much as a hint of this your intention. God grant that these your transactions may be crowned with success. We cannot give our opinion upon it before we have heard the complaints of the Swedish governor to his queen, and ascertained how, at her court, these have been received. We hope that our arguments to prove that we were the first possessors of that country, will be acknowledged as sufficient. But it is, in our opinion, nearly impracticable to enter here, with the Swedes, into negotiations upon the limits, much less to arrive at a final conclusion. We will not enter upon a discussion, whether the demolition of Fort Nassau was an act of prudence, as no one could institute any claim upon it, even if the Swedes made a show of pretence. Time will instruct us of the design of the new-built Fort Casimir. We are at a loss to conjecture for what reason it has received this name. You ought to be on your guard that it is well secured, so that it cannot be surprised. We cannot determine if it is required to erect any fortifications on the east side, opposite that fort, and must leave it to your discretion."²

Letter from
the directors
of West India
Co. to P.
Stuyvesant,
on receiving
the news of
destruction
of Fort Nassau,
and erection
of Fort Casimir.
Surprised at
both, and
especially
the name.
Leave it to
his discretion
to erect
a fort on the
east side.

The affairs of the company were much embarrassed at this period, by the expedition to South River last year, and other

August 4.

¹ Trumbull, vol. i. p. 208.

² Albany Records, vol. iv. p. 73.

1652.

Company
much em-
barrassed by
expedition to
Delaware
last year, &c.
Plan for
removing the
difficulty.

causes, as will be seen by a minute of this date, of the director-general and council: "Finding themselves much embarrassed by the situation of the company, from several considerable debts, originating in the heavy expenses incurred last year by the expedition to South River; although the debts might be eventually annulled and paid, by the recognitions, yet then the director-general and council might be disabled to provide the necessary winter provisions for the garrison, and other ministers of the company; wherefore said directors and council have deemed it salutary for the state, requisite to the maintenance of the garrison, to keep it under a good control, and crushing mutiny in its birth; to allow the largest creditors to make payment of the recognitions which they owe to the company, to the amount of one-half of the just demands, while for the remaining one-half, they shall obtain a certificate, to be paid next year in goods, or to cancel this sum by recognitions, or to receive it in Fatherland, from the 8 per cent. recognitions on the Virginia tobacco."¹

August 16.

Forts to be
inspected, &c.
Take care of
the English.

An order is passed to have the several forts inspected, and for a fresh supply of ammunition, and a recommendation not to place too much confidence in the English.²

1653.

April.

Another attempt appears to have been made to reconcile matters between the English and the Dutch; the former, at the request of Governor Stuyvesant, appointed three commissioners to repair to Manhattan, principally with reference to their more immediate New England difficulties, not, however, entirely overlooking the concerns of Delaware River. But it does not appear that much better success attended their labours than before, for they left Manhattan in haste, rather to the surprise of Stuyvesant.

Proceedings
by New Eng-
land to re-
concile diffi-
culties with
Dutch go-
vernor. Com-
missioners
appointed to
proceed to
Manhattan.

In their letter by the commissioners to Governor Stuyvesant, May 2, allusion is made to the kind of testimony formerly taken by the Dutch, for they say, "the agents of Delaware, in Monsieur Kieft's time, made use of Indian testimony, in a strange manner, in a case of life and treason."³ After the messenger had departed, "the commissioners for Plymouth desired this short following entry should be made:

"Whereas, in the letter sent to the Dutch governor, five

¹ Albany Records, vol. vi. p. 8.

² Ibid. vol. iv. p. 84.

³ See page 73.

or six particulars mentioned as grievances, about Delaware, before the union of the colonies was made, and any thing depending thereon, unto which the commissioners for Plymouth could not consent; and yet, lest the same might be weakened in the eyes of the Dutch governor, for want of their hands thereunto, they subscribed the same, but with liberty to enter their dissent in the records in the book.”

1653.

Plymouth
commission-
ers do not
consent.

To this the New Haven commissioners answered:

“That two or three of the grievances mentioned in the letter sent to the Dutch governor, in reference to Delaware, were done by Monsieur Kieft and his agents, before the combination; they were propounded, proved, considered, and duly witnessed against by all the commissioners jointly, the commissioners for Plymouth at that time concurring with the rest, as appeareth by these records, under their hands.”¹

Objections of
Plymouth
commission-
ers to agree,
answered by
the New Haven.

In a statement drawn up by Major-general Dennison, one of a committee appointed for the purpose, alluding to the award of the arbitrators in 1650, it is said, “when arbitrators on both parts chosen, having heard the differences, did in a great part determine the same, and because some of the grievances did arise under the government of M. Kieft, and the present governor not prepared to answer, the delegates on both parts respited the consideration and judgment of them, that the present governor might acquaint the States and West India Company with the particulars.”

Statement
of grievances
drawn up.

“Since which agreement, the Dutch governor hath protested against a ship of New Haven, with passengers bound for the Delaware, which also he stopped, as appears by their declaration; the delegates at the meeting at Hartford, notwithstanding the challenges and pretences of either party to the lands in said bay, [did] not determine the right to either part, but wholly referring the same to be issued and determined by the two states of England and Holland, leaving both parties to plead and improve their just interest.”

Dutch go-
vernor
breaks his
agreement.

After the return of the commissioners to New England, the Dutch governor addresses a long letter to the court at Boston; he alludes to their assertions “that to this day they have received nothing but dilatory exceptions, offensive affronts, and displeasing answers, as well in the South River Bay, called Delaware, as upon the fresh river, called Connecticut, the which, by living testimony, you could never make

May 26.

Long letter
from Stuyve-
sant to New
England
commission-
ers.

¹ Hazard's Hist. Coll. vol. ii. p. 231.

1653. appear; we have always showed ourselves willing to remove the question either to indifferent persons here, or to our superiors in our native countries." "To charge us with the old and undecided difference of parties in the like quality, defending their right and jurisdiction of their superiors, if any English, be it in private or by consent of the governor and rest of New Haven, bought and paid for any lands within the jurisdiction of New Netherlands, and by virtue thereof, upon Long Island, by Captain Howe, at Stamford, by Mr. Feaux, in the South River, by Mr. Thomas Lambertson, and have contracted to build, this is not the question; but the question is, and remains, under whose jurisdiction these lands on the South River, &c. are accounted, before they were bought, built, and inhabited by the persons aforesaid. The commissioners of New England will say under their jurisdiction; the governor of New Netherland, in opposition, that you are under them." He also alludes to "other particular complaints against John Johnson, being commissioner on South River, *now long since dead*." "Concerning the bounds of our limits, and the South River, and to forbid trade, much more, to shut it up; any thing but by approbation and agreement, declared and asserted by our sovereign lords in Europe, we declare over and above." "What concerns Delaware Bay, both before and after, during the arbitration, we have protested before the honoured commissioners that we may not admit of any habitation of people to be therein, being contrary to the command of our superiors, being conformable to the second article of their agreement, and could not, in that regard, leave ourselves without blame and blemish to our masters and superiors, if we should make so great a neglect and trespass upon the commission and instructions given; and by the way, not to let slip the sitting down of the people at New Haven on South River, manifested to them by a former protest, and dislike, to forewarn and advertise them thereof, and to hold forth our innocency from all damage or bloodshedding which might apparently ensue thereby. And what further concerns the matter and narrative in relation, that we should put their messengers into fasthold, and take their commissions and instructions from them, to the intent aforesaid, the business being well examined and looked to, it will be found that the messengers were civilly used and enter-

Governor
Stuyvesant's
letter, con-
tinued.

Death of
John John-
son alluded
to.

tained at the house of our Captain-lieutenant of our town, 1653.
Martin Crygar."¹

Then follows a long "register and record of passages betwixt New Netherland and the English nation, upon the lands and jurisdictions of West India Company," from 1633. Under date of April 9, 1642, signed by Governor Stuyvesant, they speak of "a protest done upon and against Robert Cogwell, master of the barque or catch of Mr. Lamberton, of New Haven, because they were about to sit down upon the South River, forbidding and warning him not to sit down within the limits of New Netherland."

May 26.

Dutch
statement.

"Further, we protest and wash our hands from all losses and broils that may arise from thence, and clear ourselves before God and the world. Mr. Lamberton, although they had a joint participation, made use of the master of his vessel, to answer for him in obedience to the state, not to sit down unless he took the oath of fidelity, which being afterwards found otherwise, the English were sent out of the South River without molestation, either in their persons or goods."

See this protest, page 58.

To the communications from Governor Stuyvesant, the New England commissioners reply :

After noticing what had occurred between the governors and their special commissioners sent to Manhattan, related on their return home, they say, "From your messenger, Mr. Aug. Heerman, we have received your letter dated May 26, 1653, N. S., in all which we conceive we have your whole mind, and such answer as in which you will rest, but we must profess ourselves unsatisfied therewith. To some of the former hostile affronts and injuries, you answer nothing, as the burning down of New Haven trading-house at Delaware; that treacherous plot against Mr. Lamberton's life, &c.; yet you enumerate sundry grievances of yours against Hartford, about hogs and other, &c.

Answer of
the New Eng-
land commis-
sioners to
Governor
Stuyvesant.

"You still affirm that the stopping of the vessel sent from New Haven, with men, to plant in Delaware, the close imprisoning the messengers, and detaining their commissions, as expressed, to be as civil usage and entertainment; but we still charge it to be an injurious affront, to the great damage of our confederates of New Haven, and an offensive violation of the wholesome advice given by all the arbitrators at Hart-

¹ Hazard's Hist. Coll. vol. ii. p. 256—260.

1653. ford, in 1650." "We must still require and seek due satisfaction and security."¹

Aug. 4.
No appeal
from deci-
sions in New
Netherlands.

It appears that the following resolution was passed by the States of Holland: "Resolved, that there can be no appeal from the judgment given, or sentences pronounced in New Netherland, and that the States-General shall be advised thereof."²

August 11.
Convict
transported
to New Swe-
den.

Three individuals had been convicted by the supreme court at Abo, of each killing an elk in the island D'Auland; two of them were sentenced to run the gauntlet each three times, but the third, Henry D'Oregrund, was ordered to be sent by the sheriff to the admiralty, to be immediately transported to New Sweden, all which was approved by her majesty.³

August 20.
Grant of
land to John
A. Besk.

Captain John Amundson Besk, for his past faithful services, and promises for the future, "as long as he shall live, and his strength permit," is rewarded by a patent, granting to himself, his wife, and his and their heirs, a tract of land situated in New Sweden, extending to Uplands kill, together with all the dependencies and commodities thereto appertaining, whether upon land or upon the water, of whatever name, without excepting what has always belonged thereto, which ought to belong by right, or which may be adjudged to appertain thereto by the laws and a legal decision, to keep and possess the same for ever, as his own inviolable property."

The foregoing land is the site of the present *Marcus Hook*, formerly *Maritties Hoeck*.⁴

August 20.
Grant of
land to Swen
Schute.

Under the same date, in consideration of the good and important services rendered by "our faithful subject, the *brave and courageous Lieutenant Swen Schute*, &c., a grant is made to him, his wife and heirs, for a tract of country in New Sweden, viz. *Mockorhulteykyl*, as far as the river, together with the small island belonging thereto, viz. the island of *Karinge* and *Kinsessing*, comprehending also *Passuming*, with all the commodities, &c."⁵

October 1.

Governor Printz issued a species of sea-letter in favour of the captain of a vessel about departing from New Sweden upon a trading voyage, which, being the only official document by him with which we have met, and probably never having been

¹ Hazard's Hist. Coll. vol. ii. p. 268—270.

² Miller, MSS. in N. Y. Hist. Soc., furnished him by Wm. V. Murray, from the Hague, in 1799.

³ MSS. A. P. S., Reg. Penns. vol. iv. p. 373, 374.

⁴ Ibid. Also on Records of Wiccacoa Church, p. 12, translated by Charles Springer.

⁵ Ibid. p. 16.

in print, we give entire. It is directed to Governor Bradford, 1653.
of New Plymouth jurisdiction.

"A commission appointed to be recorded.—To all her majesty of Sweden's governors, captains, and subjects, of what rank and sort soever.

"Forasmuch as Lawrence Cornelius, one of her majesty of Sweden's subjects in New Sweden, is desirous, with himself and company, and barque or sloop, upon this coast of America, to trade and traffic peaceably with such as are in alliance with the crown of Sweden; this his desire I found to be reasonable, and have given him therefore commission under my hand and seal. I do therefore desire and entreat all commanders, governors, or persons, of what quality soever they may be, that are in alliance with the crown of Sweden aforesaid, that they will carry respectively and friendly to him and his company, and suffer him quietly to pass and repass, and to do his business quietly without molestation; and to show him all the favour and friendship they may; and we do engage ourselves to do the like unto theirs, as occasion shall present. Signed, JOHN PRINTZ. [*Seal.*]

Sea-letter by Gov. Printz, for a vessel about to sail on a trading voyage.

"Dated in New Sweden, on the Fort Christina, the 1st of October, 1653."

The preceding instrument, copied from the "Plymouth Colony Records," is important, as disproving the assertion of some writers, that Governor Printz left the country in 1652. It was probably, however, one of his latest official acts, as he no doubt departed between this date and the 7th November, as will appear presently.¹

According to the Dutch statements, after the building of Fort Casimir, "the Swedish governor intending to depart, and the Swedish affairs getting behindhand, on account of not having received any succours for a long while, the people and Swedes that remained there made a request to the director, Stuyvesant, for the company to protect them, and take them under their care, representing for that purpose, they would comport themselves as inhabitants and subjects of the States." "And although many would have profited of this opportunity to receive them, and make themselves masters of those who forcibly, and against many protestations, had settled themselves there, and especially as they had received

Swedes desire to be taken under the Dutch protection.

¹ Plymouth Records, Deeds, &c., vol. ii. part i. p. 87. A MS. copy, by Samuel Davis, Esq., late of Plymouth, is also among the Penns. Hist. Soc. Archives.

1653. from them many insults, suffered damage and other injuries of interests; but such did not take place, as said director dared not, or would not accept the representation of coming under the protection solely to prevent trouble and disagreements which might occur in this country."¹

October 6.
Dutch governor declines to receive them, and in a letter asks advice of the West India Co.

This statement is measurably confirmed by a letter written by Director-general Stuyvesant to the directors of the West India Company, October 6, 1653, in which he says, "The Swedish people on the River Delaware seem to be inclined to come to us, and to be taken under our protection: as yet, and until we receive further advices from you, we have declined the same, because remaining ignorant if it would not be taken amiss, we therefore request that you will take this affair in consideration, and inform us by the first good opportunity as regards the same, &c."²

Nov. 4.
Letter from directors to Governor Stuyvesant. Encourages settlement of Swedes among them, as good political economy.

The directors in Amsterdam, considering the delicate relations between the Dutch and the Swedes, say to Governor Stuyvesant, in a letter of this date, "You ought to conduct yourselves with all possible prudence towards the Swedes on the South River, as you complain about their chieftain, as well in the maintenance of the company's immunities as by carefully avoiding every thing which might give them offence, as it would be highly improper to increase, at this critical period, the number of our enemies. With regard to the petition of some individuals of this nation, who are inclined to settle among you, if we would accept and protect them, we cannot see why it should not be granted, except your views on this were further extended than we can yet penetrate, as the population of the country, that bulwark of every state, ought to be promoted by all means, so that the settling of freemen ought not to be shackled, but rather encouraged by all honest means; all such, therefore, who are willing to obey our laws and statutes, ought to be protected in their rights of citizenship to the utmost of our power."³

Two Swedish clergymen arrive.

During the administration of Governor Printz, two Swedish clergymen arrived, but the precise year is not known, viz. Rev. Laurence Lock, who probably succeeded Campanius, on Tinnicum, and also at Christina; he died in 1688: from him many families descended, and were living in West Jersey, near the Delaware, members of Raccoon Church, in 1835.

¹ Holl. Doc. vol. viii. p. 32.

² Ibid. p. 84.

³ Albany Records, vol. iv. p. 121.

The Rev. Israel Holgh also came over about this time, but is said to have returned home in a short time.¹ 1653.

The college of commerce proclaim that they have employed, on the part of the company of the south, "John Amundson, as a captain of the navy, who is about to embark on board a galliot belonging to the company, for New Sweden, there to take command of the seamen, &c. His duty will consist principally in performing, with fidelity and zeal, all the duties that appertain to a captain of the navy, in endeavouring to procure every species of advantage to the benefit of her majesty and the company of the south; and should he, by the grace of God, arrive in New Sweden, to superintend carefully the construction of vessels, in order that they be faithfully and diligently built," and conform in all things to the instructions of the governor. He is to receive such annual compensation "as his capacity of captain will entitle him to," "and in future he may count with certainty upon the favour of her majesty, and to obtain from the company a more elevated employment." The governor is required to receive him in the rank of captain in the navy."²

November.
J. Amundson employed as captain of the navy. His duties and obligations.

This is probably the same person to whom the foregoing tract of land was granted, though his family name is omitted.

Governor Printz having, by letter, as well as through his son, expressed his strong desire to return home, his government say, "We should willingly consent to your desire, considering that after so long a continuance in that country, we can readily imagine that you may have become tired of it; but in reflecting on the good services you have heretofore rendered to us and the crown, both we and the company would extremely regret your immediate departure, before we can make the best arrangements in regard to your successor, and for the government of the country; we therefore perceive with pleasure, that your age, health, and happiness are such as will permit you to remain some time longer, until we shall be able to make the necessary arrangements in relation to the said subjects. If, however, this should be imposing too much upon you, and our service will be equally well performed by those whom you may leave in the country, you are at liberty to return home." They then hope he will leave

Dec. 12.
Permission to Governor Printz to return to Sweden, contained in a letter from Swedish government.

¹ Clay's Annals of Swedes, p. 36. Campanius, p. 109.

² MSS. A. P. S., Reg. Penns. vol. iv. p. 374.

1653. things in such a state that no damage will ensue, and refer to communications made on these subjects with John Rysing, who was, under this date, appointed commissary of the college of commerce, to assist him.

Must have departed before its receipt.

As we have already seen, Printz must have taken his departure before the receipt of this letter, and probably surprised the government by his personal presence, by the time it reached this country. It is an additional proof that Printz did not depart in 1652, as some historians assert, and that he had performed his duties to the satisfaction of the government.

John Pappogoya supposed to have acted as governor.

On the departure of Printz, it is universally stated by historians, that the charge of the government was left in the hands of his son-in-law, John Pappogoya; if so, it could only have been for the short interval prior to the arrival of John Rysing, though it has been asserted by some that he continued about eighteen months, and then returned to Sweden, which we think incorrect, from some facts which we shall offer. Indeed, no account of his official acts, we believe, has reached us.

Dec. 12.
Business of the company transferred to the college of commerce.

"The press of business and other obstacles preventing the government, from regulating all those things which the importance and utility of the company of the south, and the interests of the government demanded, Governor Printz is notified, until further orders, that they have placed the management of these matters in the hands of the general college of commerce, whose orders he is required to receive and obey."¹

John Rysing appointed commissary.
His salary.

John Rysing is, by commission of this date, nominated commissary of the college of commerce, of which he had formerly been secretary; it recites, "that having directed our very faithful subject, John Rysing, to make a voyage to New Sweden, in order there to aid, for a certain period, our present governor of the said country, agreeably to the orders and instructions which he has received from said college, and being willing that, in consequence of the hazards and fatigue he will experience during so long a voyage, his support and pay be there rendered certain, we command that the said John Rysing, in virtue of this letter-patent, and in the capacity of commissary of the said general college of commerce, shall receive annually 1200 dollars in silver, in addition to the special appointments which he may receive from the company

¹ MSS. A. P. S., Reg. Penns. vol. iv. p. 399.

of the south, "and the college is directed to place him on their list of appropriations for that sum, causing it to be sent to him in due time, every year." Accordingly, an order is drawn on the "chamber of finances," directing it to pay him "immediately, and without delay, 1000 rix-dollars, for his equipment and voyage," "particularly as our service, and that of the kingdom, requires that the vessel, which has remained for a long time at Gottenberg, ready to sail, should depart for New Sweden."¹ 1653.

The following are the instructions furnished to John Rysingh: Dec. 12.

First, as to defence, they say, "as it is important to her majesty, for purposes as well of security as commerce, that the river of the south, where we have established a harbour, be fortified, protected, and defended, as far as practicable, the *governor of said place* should be careful, particularly, that the said river, with its harbour, its mouth, the entrance on the two coasts, and its course upwards, be as far as necessary and practicable, always in proper condition and at our disposal, as well in regard to the passage of the vessels which ascend the rivers, as for those which descend for the purpose of exporting those merchandises which the country furnishes." Relating to the defence of the river.

As the river is useless where the country on either side does not belong to her majesty, the "governor should content himself with securing the country, by extending our possessions upon the two coasts as much as possible, agreeably to justice and good faith, but without a breach of friendship with the English and Dutch, or exposing to risk what we already possess." Endeavour to secure both sides of the coast, keeping friends with the Dutch and English.

"He should employ similar discretion in regard to the extension of the country itself upon the western side, so that if we can, with prudence and propriety, and by means of the co-operation of the English and Dutch, without hostility or any risk to what we already possess, take possession of the land, and by that means extend our limits, we will employ to that end all our energy, proceeding along the shores of the river as far as it may be convenient for security and commerce." Also the land on the west side.

"With respect to the fortress that the Dutch have built upon our coast, if he cannot induce them to abandon it, by arguments and serious remonstrances, and without resorting to hostilities, it is better that our subjects avoid resorting to hostilities, confining themselves solely to protestations, and

¹ MSS. A. P. S., Reg. Penns. vol. iv. p. 399.

1653.

Induce
Dutch to give
up Fort Cas-
mir, but not
in a hostile
manner, for
fear of the
English seiz-
ing it, in
case of rup-
ture with
the Dutch.

suffer the Dutch to occupy the said fortress, than that it should fall into the hands of the English, who are the more powerful, and of course the most dangerous in that country. But it is proper that a fortress be constructed lower down the river, towards the mouth; employing, however, the mildest measures, because hostilities will in no degree tend to increase the strength of the Swedes in the country, more particularly as by a rupture with the Dutch, the English may seize the opportunity to take possession of the aforesaid fortress, and become, in consequence, very dangerous neighbours to our possessions in said country."

Promote by
all means,
commerce.
Not to ex-
act high du-
ties, or even
none, in cer-
tain cases.
Foreigners to
pay duties,
and must
trade with
the com-
pany. These
duties, &c.
to be em-
ployed in de-
fence of the
country.

They then recommend employing every means that may favour and facilitate commerce, as the most likely course to benefit the country, such as not exacting more than two per cent., or even allowing to enter free, merchandise arriving or departing, if sold to, or to be employed in trade with the savages, the same to be exempt from duty in Sweden, provided it belongs to Swedish subjects, but foreigners to pay — rix-dollars per 100, and they not permitted to ascend with their vessels, or trade with the natives, but only with the company, whose privileges are to remain free of duty, either here or in Sweden. The duties and excise levied on foreigners or subjects, to be employed in defence of the country, and to the profit of the company, until further explanation.

Privileges
secured to
the purcha-
sers of land
from the
savages or
company.

Purchasers of land from the company or savages, and becoming subjects, are assured of being admitted into the company, and enjoying all allodial privileges and franchises, but no one to enter into possession but by consent of the government, so that no one be deprived improperly of what he already possesses.

Governor
Printz, be-
fore leaving,
is to furnish
an account
of the situa-
tion of
things.
Place mili-
tary affairs
under John
Amundson.
Establish a
council, &c.

Before the governor leaves the country, he is to render to Commissary Rysingh a full account of the situation of affairs, place all that relates to military affairs and the defence of the country into the hands of John Amundson, establish a council formed of the best instructed and most noble officers in the country, of which Rysingh shall be director, in such manner, that neither he, in his charge, nor Amundson, as governor of militia, in his, shall decide or approve any thing, without reciprocally consulting each other. The governor shall, for the present, give them written directions for their guide. Should the governor remain in the country longer, he shall

accept Rysingh as commissary and assistant counsellor, and in the council those whom he shall think most proper. 1653.

In relation to those things particularly confided to Rysingh, the college of the chamber confer upon him the full power and permission that her majesty has conceded to him, to be governed by the instructions and memoirs given him.¹

Powers conferred by college on Rysingh.

Her majesty grants to John Rysingh, "his wife, and their legitimate male heirs and their descendants, as much land in the West Indies and New Sweden as he shall be able to cultivate with 20 or 30 peasants, ceding to him it" and all its dependencies, in woods, fields, fisheries, rivers, and mill-seats, and all other properties upon land or water, "to enjoy, employ, and keep the same, in the same manner, and with the same franchises as our nobles, and as a perpetual property," conformably to the conditions established by the resolution of Noorhoping, in 1604, and other regulations. The governor is ordered to follow exactly these directions, granting to Rysingh so much land as he shall be able to occupy with 20 to 30 peasants.²

Dec. 12.
Grant of land to John Rysingh.

Rysingh arrived in the early part of the next year.

Various privileges are offered by the college of commerce, for the more extensive settlement of the country. Such of her majesty's subjects as sail in their own vessels to New Sweden, have "the liberty of trading on the South River and the interior of the country," as well with savages as with the Christians and the company itself, "of ascending and descending the river without paying any larger duty or tax," excepting two per cent. on all merchandise, at a reasonable valuation; if they import merchandise procured in trade on the river on Swedish vessels, into any port belonging to her majesty, they can there land and sell free of duty and charge; but foreign vessels are prohibited from trading on the river with the savages or others, but with the company alone. All subjects are allowed "to establish on the lands of the company as many colonies as they may be able, at their own expense, to keep said lands, and employ them in plantations of tobacco, or in any useful manner, during certain years of franchise, and under good conditions." But any one who has purchased from the savages particularly a portion of land, or has had the same from the company at a just price, and has thereon established cultivators, shall pos-

December.
Privileges of trade and settlement to those who sail in their own vessels. May plant colonies. Exemption from duties, &c.

¹ MSS. A. P. S., Reg. Penns. vol. iv. p. 399, 400.

² Ibid. p. 398.

1653.

sess the same for ever, with all allodial franchises customary in this country, with this exception, however, that no one shall establish himself in those places where the company have reserved certain lands for culture as aforesaid, "they are certified of being comprehended in the company," in relation to which "a further grant will be delivered, or that they shall be maintained in the liberty which has been accorded to them; no one, however, demanding the possession of a tract of land, can obtain it except according to the orders of the governor, and by submission to all the just and civil laws of the country."¹

1654.

March 16.

Act relating to commerce and navigation, and for cultivating and populating the country of New Sweden.

An ordinance was passed by the Swedish government in relation to the commerce and navigation of New Sweden, and for cultivating and populating the country, which guarantees, 1st, To all who "purchase a portion of land, whether of the company or of the natives," and recognise subjection to the Swedish governor, that they shall enjoy the land thus purchased, and their heirs, "as a perpetual possession, with every allodial franchise, with the assurance either of being included in the company, or of preserving, otherwise, all the franchises hereby granted to them." 2d, All subjects who have paid a duty in Sweden, or the provinces under its dominion, shall be exempt from all duties on arriving in New Sweden, and the goods they bring with them shall pay only two per cent., and be exempt from all duties, either in Sweden or its dependencies; they shall, besides, have the privilege of trading with the natives themselves."²

Some of these provisions, it will be seen, appear to correspond with those of December, 1653.

A crisis on South River approaching.

A crisis on South River was now fast approaching. Rysingh, who, as we have seen, left Sweden at the close of last year, might reasonably be expected before long, though probably the Dutch were ignorant of his coming, and certainly had no reason to anticipate the events which attended his arrival. Printz had departed, Pappegoya was in charge of public affairs, and probably they had no reason to expect, in so short a period, a change in the administration, to be accompanied with such disastrous consequences, as no extraordinary means of defence were provided.

¹ MSS. A. P. S., Reg. Penns. vol. iv. p. 374.

² Ibid. vol. v. p. 14.

A written license was granted by Governor Stone, of Maryland, to Thomas Adams, "with his vessel to trade or traffic with those of the Swedish nation in Delaware Bay, &c." 1654.

"Why such a license was necessary for the purpose of trading with the Swedes settled on the Delaware, especially as no war then subsisted between the English commonwealth and the Swedish nation, as there did between the former and the Dutch, does not clearly appear, unless the general power to regulate all trade carried on by the inhabitants of the province with any neighbouring colony, should have been deemed to appertain to the prerogative powers of the lord proprietary." "It might have been inserted to guard against any trade or communication with any Swedes who might then be in subjection to, or within any *Dutch* settlements on the Delaware."¹

March 18.

License to
T. Adams, of
Maryland, to
trade on the
Delaware.

It would appear from the following letter from the West India Company to Governor Stuyvesant, that an application had been made by him for the admission of some beavers free of duty, that probably Governor Printz took with him as a private adventure, on his returning home. At this request they do not seem to be very well pleased, for which their situation, as intimated in the letter, may form some apology. They probably, too, recollected the trouble he had caused them during his administration. It manifested, however, good feeling, on the part of Stuyvesant, to one with whom he had been so often in personal conflict for years. The letter is dated May 18, 1654.

May 18.

They say, "We could not condescend to grant the petition which your honour made in a private letter of *November 7, 1653, in favour of the late Swedish governor, John Printz*, to return him the recognition which we received on behalf of a quantity of beavers; chiefly so, because said Printz did not, as he pretended, send these beavers to Sweden by the way of Amsterdam, but really sold them here, and gave this sum on interest, on his account, so that the said beavers did not belong, in any manner, to the crown of Sweden, but to him, Printz, individually. We have indeed been somewhat surprised that your honour acted with so much apparent liberality, although you were informed of the situation of the company, and were not ignorant how difficult it is for us to effect that our revenues answer our expenses here and abroad: we must

Letter to P.
Stuyvesant,
on his appli-
cation for
remission of
duties on
beavers, in
behalf of
Gov. Printz,
from the
company,
who accuse
him of pro-
digality.

¹ Bozman's Maryland, pp. 479, 480. Council proceedings of Maryland, 1636 to 1657, p. 298.

1654. therefore renew our recommendation, that hereafter your honour will not dispose so lavishly of our revenues, but rather excuse yourself with courtesy, when you are vexed by *similar petitioners*, so that your respect and authority remain undiminished from the one side, and from the other no discontent or troubles may originate."¹

Time of
Printz's de-
parture.

From the reference here made to Governor Stuyvesant's private letter of November 7, 1653, we infer that it was sent by Governor Printz himself, and that this was about the date of his departure from the country.

May 27.

Arrival of
J. Rysingh, a
new gover-
nor.
Pappegoya
now pro-
bably retires.

John Rysingh, commissary and assistant counsellor, arrives, as he himself informs us, "a few days before the 27th of May," in the government's "ship Aren, Captain Swensko, very much to the alarm of the Dutch." It will be seen, from the following extracts from several letters on record, that instead of complying with his instructions not to act in a hostile manner towards the Dutch fort, but to be satisfied with protestations and remonstrances, the first act, on his arrival, was to demand the surrender of that fort, which he soon accomplished. It does not appear, from any thing we have seen, that he even had had any communication with the Swedish authorities. Printz had already departed, and Pappegoya, his successor, was probably at Tinnicum; his charge of the administration here perhaps terminated, having lasted about six months.

May 31.

Gerrit Bikker's account
of the cir-
cumstances
attending
the surren-
der of Fort
Casimir.

Gerrit Bikker, commandant of Fort Casimir, in a letter to Governor Stuyvesant, of 8th June, communicates as follows: "On the last day of May, we perceived a sail; not knowing who she was, or where from, Adriaen Van Tienhooven, accompanied by some free persons, were sent towards her to investigate, who, the next day, contrary to hoping and trusting, returned here in the roads about two hours before the arrival of the ship, with the following news: that it was a Swedish ship, full of people, with a new governor, and that they wanted to have possession of this place and the fort, as they said it was lying on the Swedish government's land. About an hour after receiving this news, the Swedish government's captain, Swensko, with about 20 soldiers, came on shore with the ship's boat. We bade them welcome as friends, judging, that in case they intended to attempt any thing, they would at least give us notice; but contrary to this, he

¹ Albany Records, vol. iv. p. 138.

made his people likewise come in, and then demanded, at the point of the sword, the surrender of the river, as well as the fort. This transaction was so hurried as hardly to afford delay enough for two commissioners to proceed on board, to demand of the governor his commission, and some little time for consultation; but before the commissioners had got on board, there were two guns fired over the fort, charged with ball, as a signal, after which our people were immediately deprived of their side-arms, and likewise aim taken on them, ready to fire, because they did not deliver up their muskets, which were immediately snatched from them, and likewise men were immediately stationed at the pieces of ordnance at the points. Those who had been sent off returned, and brought us information that there was no desire to give one hour delay, that his commission was on board the vessel, and that we would immediately perceive the consequences of it. The soldiers were immediately chased out of the fort, and their goods taken in possession, as likewise my property, and I could hardly, by entreaties, bring it so far to bear, that I, with my wife and children, were not likewise shut out almost naked. All the articles which were in the fort were confiscated by them, even the corn, having hardly left us as much as to live on, using it sparingly, &c. The governor pretends that her majesty has license from the States-General of the Netherlands, that she may possess this river provisionally."¹

1654.

Bikker's account continued.

The following letter, July 27, from Stuyvesant to the company, furnishes some additional particulars, derived probably from the persons mentioned in it as having arrived from the fort:

"In the preceding month of May, there arrived in the Delaware, a ship from Sweden, as it is said, fitted out by the government of Sweden, with a considerable number of people, according to reports, amounting to about 300 souls, with a new governor; they came before our Fort Casimir; they then discharged two or three volleys with shot, after which from 20 to 30 armed soldiers landed from the ship. They were civilly received on the beach, near the gate of the fort, by Gerrit Bikker, our commander; the door of the gate being open, they hurried through it into the fort, then some immediately went to the different points of the bastions, others

¹ Holl. Doc. vol. viii. p. 85, 87.

1654. immediately disarmed the few remaining company's servants, there being at that time but 10 or 12 soldiers, and in this manner made themselves masters of the place. Seven or eight of the company's soldiers, with Adriaen Van Tienhooven, have arrived here; the others, with Bikker, the commander, and most all the free persons, remained there, and have taken the oath of allegiance to the new Swedish governor. The further circumstances of this dishonourable surrender of the fort, and true statement of the same, the positive and unsigned letter of the above-named Bikker, in answer to mine, have reached me overland."¹

Governor
Stuyvesant's
letter to the
company,
giving an ac-
count of the
surrender of
Fort Casimir.

May 27. Governor Risingh, on the 27th May, thus announces his arrival to Governor Stuyvesant:

"I cannot refrain giving you notice, that a few days ago, I arrived here safe in the government ship the *Aren*, with a considerable number of people from the kingdom of Sweden, and having, in behalf and in the name of her royal majesty in Sweden, my most gracious queen, demanded the surrender of the fort built on Sand Point, excluding the surrounding colonies, which are of a civil condition, and having represented to the people the liberty to remain or to go, provided those remaining put themselves, of free will, under the obedience of her royal majesty, and thereafter free themselves of the fidelity and obedience given to us, and as this is a matter of greater result than they can settle among the ministers, who only have to go according to rule, therefore the sovereigns on both sides will have to compromise this matter, and mutually agree on the same."²

Letter from
Gov. Rysingh
to Governor
Stuyvesant,
announcing
his arrival,
and demand
on Fort Casi-
mir.

Discrepancy
of dates.

It will be noticed that there is some little discrepancy in the dates of the preceding facts, in relation to the capture of Fort Casimir. Bikker says it occurred "on the last day of May." Rysingh's letter is dated 27th, and says, "he arrived a few days before" it, and he had at this date accomplished his purpose. We have no means of reconciling them. Acrelius and Campanius both assert that this fort was taken by the Swedes on Trinity Sunday, and from that circumstance they named it Trefalldigheet, or Trinity.³

Name of
Fort Casimir
changed to
Trinity.

Arrival of
Peter Lind-
stroem, an
engineer, &c.

It is said that with Risingh arrived also Peter Lindstroem, an engineer, several officers, and some troops, and a clergyman, "named Peter ———, who remained about two years, and

¹ Holl. Doc. vol. viii. p. 89.

² Ibid. p. 106, 107.

³ Acrelius, p. 414. Campanius, p. 82. O'Call. vol. ii. p. 274.

then returned to Sweden.¹ Lindstroem almost rebuilt the fort anew, and much stronger."² He also, in the course of this and the next year, prepared for the government of Sweden, a large map, embracing both sides of the river to Trenton. The original was destroyed, with the palace of Stockholm, in 1697, but a copy previously taken still remained among the royal archives, in 1834, and a copy of it was then in possession of our American Philosophical Society, and in a reduced form accompanies Campanius's work. The names of places are in Swedish. Being made at so early a period, it must be very imperfect.³

1654.

Early map of the country.

Acrelius says, "Rysingh assumed the title of director-general over New Sweden."⁴

Rysingh's title.

It appears that, for some reason, probably from threatening appearances of danger from the English, the director-general had proposed to the council the propriety of abandoning Fort Casimir, and of sending off a vessel then there, as the following record appears to be a reply to the suggestion: "Concerning the following propositions, as that of abandoning or maintaining of Fort Casimir, so with regard to the ship King Solomon, if it shall remain here or sail for Fulketown; for reasons more explained at large in the proposition, it is resolved not to abandon, for the present, Fort Casimir, neither to call its garrison from there to reinforce that of this city; and what regards the ship King Solomon, she is to remain to gratify the inhabitants."⁵

June 2.
Discussion by director-general and council, on giving up Fort Casimir.

They could not, at this date, have been aware of Rysingh's arrival or intentions, but while they were discussing the question, Rysingh had made the decision for them, by actually taking possession of the fort.

"Rysingh immediately offered to the English, Dutch, and Indians to renew their former friendship. On the 17th of June, a meeting was held at Printz Hall, on Tinnicum Island, of ten Indian sachems, or chiefs, and there a talk was made to them, in which it was offered, on behalf of the great queen of Sweden, to renew the ancient league and friendship that subsisted between them and the Swedes, who had purchased of them the lands which they occupied. The Indians complained that the Swedes had brought much evil upon them,

June 17.
Great meeting at Printz Hall, between Gov. Rysingh and Indian sachems.

¹ Acrelius, p. 414. Clay. Campanius, p. 109.

² Acrel. p. 414.

³ See Preface to Campanius, by Duponceau, p. xi. Albany Records, vol. ix. p. 141.

⁴ Acrel. p. 414.

1654. for many of them had died since their coming into the country. Considerable presents were made and distributed among them, on which they went out and conferred among themselves, and then returned, and one of their chiefs, named Naaman, made a speech, in which he rebuked the rest for having spoken evil of the Swedes, and done them an injury, and told them he hoped they would do so no more, for the Swedes were a very good people. ‘Look,’ said he, pointing to the presents, ‘and see what they have brought us, for which they desire our friendship.’ So saying, he stroked himself three times down his arm, which among the Indians is a token of friendship; afterwards, he thanked the Swedes on behalf of his people, for the presents they had received, and said that friendship should be observed more strictly between them than it had been before; that the Swedes and Indians had been, in Governor Printz’s time, as one body and one heart, (striking his breast as he spoke,) and that thenceforward they should be as one head, in token of which he took hold of his head with both his hands, and made a motion as if he were tying a strong knot, and then he made this comparison, that as the calabash was round without any crack, so they should be a compact body without any fissure: and that if any one should attempt to do any harm to the Indians, the Swedes should immediately inform them of it; and on the other hand, the Indians would give immediate notice to the Christians of any plot against them, even if it were in the middle of the night.”

Speech of
the sachem.

Wish the
Swedes to
settle among
them at
Passyunk.
Titles to land
confirmed.

After being treated with wine and brandy, other Indians spoke to the same effect, and advised some of the Swedes to settle at Passyunk, “where there were a great number of Indians, that they might be watched and punished if they did any mischief. They also expressed a wish that the title to the lands which the Swedes had purchased, should be confirmed, on which the copies of the agreements, (for the originals had been sent to Stockholm,) were read to them, word for word. When those who had signed the deeds heard their names, they appeared to rejoice, but when the names were read of those that were dead, they hung their heads in sorrow.”

Entertain-
ment.

“Then there were set upon the floor in the great hall, two large kettles and many other vessels filled with *sappaun*, which is a kind of hasty pudding, made of maize or Indian

corn. The sachems sat by themselves; the other Indians all fed heartily, and were satisfied." 1654.

Such is Campanius's relation of this great meeting. He adds, "the treaty of friendship which was then made between the Swedes and the Indians has ever since been faithfully observed on both sides."¹

Fidelity in observing the treaty.

The English at New Haven again consider respecting their property on Delaware. The following are the proceedings of "a general court held at New Haven, for the jurisdiction, July 5, 1654.

July 5.

"A letter was now, by order of the court, sent to the Swedes at Delaware Bay, informing them of the propriety which some in this colony have to large tracts of land on both sides of Delaware Bay and River, and desiring a neighbourly correspondence with them, both in trading and planting there, and an answer hereof."² The letter is not to be found, but is referred to at a later period.

A letter from New Haven, written to the Swedes on Delaware.

Not very long after his arrival, Governor Rysingh wrote to the government the following letter, giving an account of various matters, public as well as private. He probably had written previously, furnishing a statement of things as he found them; the departure of Printz; the reign of Pappogoya, whom he had succeeded, &c. &c.; no other communication has fallen into our hands, unfortunately, or we would probably have been enabled to clear up some things which have been rather involved in mystery. The following has been happily preserved: as we do not know of its ever having been in print, it is given at length.

July 11.

"Monsieur the Count—I return you my humble thanks for the favour your excellency has manifested towards me, in the advancement it has procured, and for which I will show my gratitude by my fidelity and zeal to serve you. For whatever relates to the actual state of the country and our colony, I have made a sufficiently exact report in the journal and letter which I have addressed to your excellency and the college of commerce. For myself, thank God, I am very contented; if there were only persons here capable of executing what the establishment requires, all would go on well, for I have a great desire to promote the success of this noble enterprise.

Letter from Gov. Rysingh to the minister of Sweden.

Refers to a previous letter.

As to himself, very contented. Requires assistance.

¹ Campanius, p. 76—78.

² New Haven Records, p. 72, Book commencing "25th May, 1653," and ending "January 5, 1663."

1654. I am now more free than ever, and in another element, with the hope, God willing, we may aid you in putting every thing in a good train. There is four times more ground here now than when we arrived, and the country is better peopled, for then we found only 70 persons, and now, including the Hollanders and others, there are 368 persons. I hope we may be able to preserve them in order and in duty, and to constrain them, if necessary. I will do, in this respect, all that depends upon me. We will also endeavour to shut up the river. Captain Schute, who has the commission, and does all that he can, fell sick day before yesterday, at Fort Trinity. All that has been effected was by me, him, and Pappegoya, and they comport themselves very well. As to the arrangements to be made hereafter for the government, it is for your excellency and the government to determine. I desire that no person will come here who is selfish, obstinate, or negligent; for the rest, in all which the government shall order, I will aid as much as my forces will permit, as every faithful servant of her majesty, and every good patriot ought. I hope your excellency will favour me, as heretofore, to procure for me, for the future, a good advance, and as I left some debts to the house, I beg your excellency to do me the favour to cause to be paid, my wages for the past year, and those of this, so that Potter may receive them for the payment of my debts. As, at my departure, her majesty designed to grant me here a portion of land for 20 to 30 peasants, with feodal title and in fee, I humbly pray your excellency to aid me in the occupation of the country, which is wild and without clearing, situated below Fort Trinity, extending from the borders of a small brook, a quarter of a mile Swedish into the country, and then towards the river inclusively, to Cape Franc, also one quarter of a mile. A large part of the land is covered with a large marsh and thistles, and a small part is good land, which, by the grace of God, I will cultivate as soon as possible, at my own expense, as many others, so that I may there find a retreat, or from it gain something to provide more easily for fulfilling the obligations imposed upon me. This is what I most humbly recommend to your excellency, praying him at the same time, *to procure for me a good wife*, relying for this object upon your excellency, with more confidence than any other person in the world; and though the English who have been here

Increase of
ground and
people.
Number of
inhabitants.

Capt. Schute
sick. He and
Pappegoya
his only
helpers.

Describes
who are
suitable per-
sons to send.

Asks for ad-
vance of wa-
ges, to enable
his agent at
home to pay
debts left be-
hind. Al-
ludes to land
given him.
Describes the
neighbour-
hood.

Asks the
count to
send him a
wife, having
great confi-
dence in
him.

have made me sufficiently plain offers, I do not wish to decide upon any thing till I have obtained your excellency's authority, and shall therefore so remain. In gratitude for the kindness your excellency has shown me, you will always find me disposed to execute your orders, and to serve you with all cheerfulness and fidelity, and as far as in my power. I commend your excellency, your wife, and all your family, to the Divine protection. At Fort Christina, in New Sweden, July 11, 1654. Your very humble servant till death,

1654.

"JOHN RYSINGH.¹

"P. S.—As the above land is near Sandhoecken, and a little too far for me to render myself there every day, I ask that they will grant me upon the island of *Timmer*, the land below Skillpaddekylen, the one-half, and to pay for it by my services. I recommend J. Pappegoya, schuten."

Wants land nearer to his business. Recommends Pappegoya as schute.

Azel Oxenstiern died, the excellent and faithful minister of Gustavus Adolphus, and also of his daughter, Christina, under whose joint auspices the Swedes were conducted to, and for many years sustained in this country.

August.
Death of Oxenstiern.

Queen Christina, during this year also, at the age of 29, abdicated the throne of Sweden in favour of her cousin, Charles Gustavus.²

Christina abdicates to Charles Gustavus.

This day was set apart for a general thanksgiving, on account of peace between England and Holland, the news of which reached Manhattan on the 16th July.³

August 12.
Peace between England and Holland.

It was not very long after the capture of Fort Casimir, or Trinity, by Rysingh, that an opportunity presented to Governor Stuyvesant of retaliating. A Swedish ship, called the Golden Shark, commanded by Hendrick Van Elswyck, (or as he has been usually called by historians who have noticed the fact, Daswyck,) bound to the South River, by mistake or ignorance of the pilot, or some other cause, put into the North River, and got behind Staten Island. On discovering his error, the captain despatched a boat to Manhattan, for a pilot to take him to South River. Stuyvesant thinking this a good opportunity to compel the return of the fort, seized

Sept. 22.
A Swedish ship bound to South River seized at Manhattan.

¹ MSS. A. P. S., translated from the French translation of the Swedish. There seems to be a diversity in the manner of spelling this name; we have heretofore used that generally found in writers, hereafter we shall adopt the mode used above by himself; we presume one to be the Swedish and the other the English method. Some historians call him John *Claude* Rysingh, we do not know on what authority. It appears he had no wife, as the grant for land would seem to indicate; but this seems to be the form of those grants generally.

² Gorton's Biog. Dictionary.

³ Albany Records, vol. ix. p. 180. O'Call. vol. ii. p. 266.

1654. the men, as well as the vessel and master, which led to a long negotiation between the Dutch and Swedes, but, as will appear from what follows, without producing the anticipated result on either side.

Mr. Eaton again calls the attention of the commissioners to New Haven's right to several parcels of land on both sides of Delaware Bay and River, and produced a copy of a letter written to the *new* Swedish governor, with his answer thereto, (neither of which do we find,) but the commissioners replied to the Swedish governor on 23d September, as follows:

Sept. 23.

Letter from
New Eng-
land com-
missioners to
Gov. John
Rysingh.
Alludes to
former inju-
ries from
Kieft and
Printz. As-
sert their
rights.

"Much honoured sir—The commissioners for the United Colonies of New England, being now met at Hartford, as their course this year falls, have been reminded of the well-known right some of the English of New Haven colony have to several large tracts of land on both sides of Delaware Bay and River. Mr. Eaton, one of the present commissioners, has showed us the copy of the letter he wrote to you by order of New Haven court, dated July 6, 1654, and your answer thereto in *Latin*, dated August 1, 1654, the contents whereof seem strange to us all. We were many years since informed of their just title, and of the unjust disturbance their agents found in their planting and trading there, both by Monsieur William Kieft, the former Dutch governor, and from Monsieur John Printz, your predecessor; and thereof Mr. John Winthrop, governor of Massachusetts colony, and president of the commissioners, wrote to them both, in September, 1643, and thereunto, a few months after, received their several answers, but without any satisfaction. What you wrote concerning a treaty or conference before Mr. Endicott, wherein New Haven's right was silenced or suppressed, and what you affirm concerning the right the Swedes have to lands on both sides of Delaware Bay and River, from the capes, &c., is either your own mistake, or at least the error of them that so inform you. We have perused and considered the several purchases our confederates of New Haven have there made, the considerations given acknowledged by the Indian proprietors under their hands, and confirmed by many Christian witnesses, whereby their right appeareth so clear to us, that we cannot but assert their just title to the said lands, and desire they may peaceably enjoy the same, with all the liberties thereunto belonging, and in their name and behalf do assure you they will by no means disturb you in any of your just

rights. Thus hoping the peace and good accord in Europe, betwixt England and Sweden, will have a powerful influence upon our spirits and carriage in these parts of America, and desiring you will, with your first conveniency, return a full and clear answer to Mr. Eaton, governor of New Haven, who will speedily impart the contents to us. With our best respects, we rest, your loving friends and neighbours,

“JOHN BROWNE, THEOPHILUS EATON,
“JOHN MASON, SIMON BRADSTREET,
“JOHN WEBSTER, DANIEL DENISON,
“FRANCIS NEWMAN, THOMAS PRENCE.

“Hartford, 23d September, 1654.”¹

The affair of the Golden Shark not being accommodated between the governor and captain, an invitation is sent by the director-general to Rysingh, to visit Manhattan, to settle their matters; he assures him of a kind reception, and hopes “that it might please his honour, John Rysingh, commander-in-chief, on behalf of the crown of Sweden, of the settlements on the South River, at the request of honourable Van Elswyck, factor of said crown, to come hither (to New Amsterdam) to arrange and settle some unexpected differences, so this letter is intended to assure aforesaid John Rysingh that his honour will receive a cordial reception, with comfortable lodgings, and a courteous treatment, to his full satisfaction, without the least embarrassments to his honour and suite, goods or vessels.”²

It appears hereafter, that Rysingh did not accept of this friendly invitation, but probably found his “lodgings” more “comfortable” at Fort Casimir, at least for a season.

Application was made by Captain Elswyck to be permitted to sell a portion of his cargo. The following is the reply to it:

“Whereas honourable Hendrick Van Elswyck, factor in behalf of the crown of Sweden and South River company, solicited that he might be permitted to sell a few hides, arrested in and with the vessel, the Shark, for which now a favourable opportunity presents, which being considered, the director-general and company answered, that they had had no other view, neither had yet any other, than to maintain with their neighbours a friendly correspondence, harmony, and commerce, and therefore have no objection that the aforesaid factor, to his best advantage, and the profit of his mas-

1654.

October 1.
Gov. Rysingh invited to visit Manhattan. Is promised good treatment.

October 16.
Permission to Elswyck to sell, on condition of a deposit of the full value, till restitution of Fort Casimir is made.

¹ Hazard's Coll. vol. ii. p. 320.

² Albany Records, vol. ix. p. 236.

1654.

ters, not only dispose of the aforesaid hides as he proposed, but any other wares and merchandises, provided he makes a fair deposit of the real value with the attorney-general, as representing here in this point the West India Company, the honourable C. Van Tienhooven, till, as the representatives of the said company, a due restitution and becoming satisfaction shall have been made for the surprise and continued occupation of Fort Casimir, with all the ammunition of war, houses, and effects belonging to said fort, when it was taken by his honour, John Rysingh, commanding on South River, in behalf of said crown, without any provocation or previous declaration of war, on 30th of May last, and withholden to this day from us and the honourable company, with all the goods and effects which belong to our ministers or individuals, in revenge of which the director-general and council could do nothing less than to arrest the above-mentioned vessel and lading, without any injury to either, till, as already mentioned, a full restitution shall have been made, and satisfaction given for this unprovoked assault, permitting, in the meanwhile, to said factor, the disposition of the cargo to the best advantage of his masters, provided he makes a faithful deposit of the cargo with the plaintiff and attorney-general of the company. Done at the meeting of the director-general and council, in New Amsterdam, October 16, 1654.

“Signed by

“P. STUYVESANT, N. D. SILLE,

“LA MONTAGNE, C. VAN TIENHOOVEN.”¹

October 20.

The following decree against the Shark is passed, the previous offers to Rysingh and Elswyck not having been accepted, and an inventory of vessel and cargo taken. The circumstances of the case are also related.

Representation respecting the Shark, by directors and council, and a decree to have her detained. An inventory prepared.

“Whereas the honourable John Rysingh, now commanding the Swedish nation on the South River, in behalf of the crown of Sweden, in New Netherland, has, on the 30th May last, without any provocation or hostilities previously announced, taken by surprise from us, who represent the high and mighty lords the States-General of New Netherland, &c., the Fortress Casimir, with all the houses and effects belonging to it, in reprisal whereof, we, the director-general and council in New Netherland, could do nothing less than to arrest and detain provisionally, a certain Swedish vessel,

¹ Albany Records, vol. ix. p. 241, 242.

named the Shark, being a small fluyt of about 40 or 45 tons, with its lading, of which vessel has declared himself master and factor, the honourable Hendrick Van Elswyck, from Lubbeck, factor of said crown, which vessel, as aforesaid factor more than once has declared to us, belonged to the South River company, in the realm of Sweden, and arrived accidentally in the North River, in New Netherland, on the 22d and 23d of last month, (September,) and was then by us arrested on the 25th, which ship and cargo has been conducted to this city, when we, director and council, offered said factor that if he could effect, by the aforesaid honourable John Rysingh, the restitution of the Fortress Casimir, with all its effects, we then should be inclined to deliver from our side the vessel aforesaid, with its cargo, and to place them at his disposal, and at the same time to renew and continue our neighbourly friendly correspondence and commerce with him and the subjects of the crown of Sweden, showing to the aforesaid honourable Hendrick Van Elswyck that there was now a fair opportunity presented to both parties to attain the one and the other, only soliciting time to address the honourable Rysingh on this subject, and offering our safeguard or pass to the aforesaid Rysingh, or his plenipotentiary, to come hither to reconcile our differences, which was cheerfully accepted by said Elswyck, leaving in the mean time the aforesaid vessel and cargo untouched in the possession of the aforesaid factor or his attorney, only taking the rudder from the vessel, and placing two of the company's servants, with its ordinary crew, on said vessel, for the greater security of the vessel and cargo, permitting, besides, the aforesaid factor, (as may be seen from our act dated 15th of this month,) to dispose not only of his own goods, but of the remainder of the cargo, to the best advantage of his masters, only making a deposit of the whole real value by the plaintiffs and prosecutor, the honourable attorney-general, Tienhooven, till the required restitution of the fort and other effects of the company shall have been made, agreeably to law and justice. After this appeared before us, the aforesaid factor, on the 19th of this month, and notified that the aforesaid Rysingh did not incline to come hither, neither to send a plenipotentiary, nor to surrender the surprised fort, wherefore the director-general and council have deemed it their duty, and considered it at the same time equitable and just, to arrest and detain the afore-

1654.

Representation respecting the Shark, continued.

1654. { said vessel and cargo, under the benefice of an inventory, to be made in presence of the aforesaid factor or his attorney, and two impartial witnesses, till they shall have received further advice and instructions of their superiors, to bring the durable goods not easily spoiled, to the company's magazine, while the perishable commodities might be disposed of by the factor to his satisfaction, or in case he declined to do so, to be sold at public vendue to the highest bidder, or to have these articles appraised by impartial men, as it may please the aforesaid factor. What now regards the vessel, it was deemed proper to have her, too, appraised by impartial men, leaving to the factor the choice to keep one, or two, or more men of his nation upon it, to keep a watchful eye upon it, or, in case of refusal, to hire two persons for this purpose, at the expense of the interested, till a reciprocal restitution shall have been made, and all the differences reconciled, or till we shall have received further instructions; and further, that a copy of these resolutions, with one of the inventory, shall be delivered to the factor *in propria forma*.

“Done at the meeting of the director-general and council, in New Amsterdam, October 20, 1654. Signed by

“P. STUYVESANT, N. D. SILLE,
“LA MONTAGNE, C. V. TIENHOOVEN.”

Representa-
tion and val-
uation of the
Shark.

Then follows an inventory taken by persons appointed:

“Shark—long by the stern, 62 feet.

Wide on deck, 13 or 14.

Two colours, 1 white and 1 coloured.

“With all standing and running rigging.

“Vessel valued at \$1200 00

“Other rigging, &c., 1758 13—\$2958 13.”

She is called “an old and leaky flüyt.”

“Inventory, for particular reasons, Lieutenant Swen Huygens refuses to sign.”¹

October 27. Captain Elswyck, not being at all satisfied with Governor Stuyvesant's proceedings respecting his ship, sends the following formal protest:

Protest of
Van Elswyck.
“Noble lord general director of New Netherland, and the members of the high council. High and respected lords, it cannot be unknown to your honours that when I landed, 22d September, either through inadvertence, or by malice of my

¹ Albany Records, vol. ix. p. 244—246.

steersman, with the vessel, the Golden Shark, intrusted to my care by the honourable South company, and commercial college of the kingdom of Sweden, in this river in New Netherland, that I despatched a few of my crew in a boat to New Amsterdam, as to our good friends and neighbours, to obtain a steersman, who, being well paid, should conduct the vessel to the South River. When they arrived on shore, my two men, although born Swedes, were not only carried to the guard-house as prisoners, while I was conducted by the vice-commander, under an escort of eight soldiers, from the place where the vessel laid at anchor to the house of Sergeant Daniel Litschoe, but even the aforesaid vessel was, by order of the director-general, taken in the Raritan's kill, our colours taken away, and the vessel secured by a body of soldiers. It is pretended, I know, that his honour, John Rysingh, director of the government of New Sweden, should have taken possession of Fort Casimir by surprise, and that therefore you arrested this ship and lading, but this is a pretension indeed without any foundation, because the aforesaid fort was, rather by force than on any ground of right or equity, constructed on the soil of her royal majesty the queen of Sweden, my most gracious sovereign, against which usurpation, at that time, was protested by the Swedish governor, John Printz, although it was executed by the orders of the director-general, in 1651; so that the aforesaid Governor John Rysingh took nothing from your honour, no, he recovered only what did belong to her royal majesty of Sweden, and never shall it be proved that his honour ever took one single farthing from any individual, being a subject of this government, but as soon as the freemen who resided there desired to remain there, and took the oath of allegiance, then every one was actually protected in all his property, yea, what is more, no person residing there, and desiring to remove to any part under your government, was ever stopped by the governor, but every one permitted to leave the spot, and carry all his property with him to any place, when he thought proper. But how contrary is my situation, whereas, not only the ship and cargo of my masters, but even my own property, (although I sold many articles to others, who are ready to tender me the payment at the delivery of the goods,) are withholden and taken away. What man of a sound judgment, and loving justice, could find fault with us, if we did

1654.

Protest of
Van Els-
wyck, con-
tinued.

1654.

Protest of
Van Els-
wyck, con-
tinued.

the same in future, and trod in the same steps with regard to particular persons, if we arrested their goods, as the director-general has given us an example? I understand that the ship and cargo of my masters, by me appointed, by the director-general, has been in part estimated, with the declared intention to proceed in this business in the same manner, I declare therefore, solemnly, that I did not deliver to you either ship or cargo, or how this lading may be specified, either by myself, or by any person over whom I had any control, but what is done, or may yet be done, must be considered as performed against my will; I cannot prevent it. It is far from it that I should be satisfied, in behalf of my principals, with the valuation; but it is, in my opinion, certain, that the loss which my principals suffer by the capture of said vessel and cargo, for more than one reason, is ten times higher than the ship and whole cargo is worth. I protest, therefore, against this whole transaction, *in optima forma*, against your honour and the high council, for all the damages which my masters suffer, or may yet suffer by it in future, and remain safe with my duty towards my principals. Your honours the director-general and council's most obedient."

Was signed, "Hendrick Van Elswyck, factor of the Swedish South company. Lewis Hood."

"It may please the notary to deliver this protest, in the presence of two witnesses, to the director-general, and bring me a receipt of its acceptance."

In the margin stood, "Done in New Amsterdam, in New Netherland, 1654, ¹⁷/₂₇th October."

Yet lower, "agrees with the original," and signed, "Cornel Van Ruyven, lieutenant."¹

On the same day, the governor returned the following answer to the preceding protest:

Governor
Stuyvesant's
answer to
the protest.

"In answer to the unfounded protest of the honourable Elswyck, factor in behalf of the Swedish South company, is, that although his honour pretends that he landed in this river through negligence and malice of his steersman only, and despatched some of his crew, observe, as to his good friends and neighbours; we, however, have never seen any proof of it; the hostile act of the honourable J. Rysingh, under pretext of friendship, who arrived before our Fort Casimir, on South River, in New Netherland, saluted with two guns,

¹ Albany Records, vol. ix. p. 263—265.

landed 30 men, who met with a kind reception of our commissioner and other ministers, and were welcomed by them as friends and neighbours, and who, discovering the weakness of our garrison, disarmed the few soldiers of their High Mightinesses the States-General and the West India Company, not even leaving them their swords, not as friends and neighbours of the crown of Sweden, but as public enemies, against all military rules. They took possession of Fort Casimir, with all the ammunition, effects, houses, raw materials, &c., all belonging to the West India Company, and keep it yet till this day; they diverted some of our ministers, and nearly all our freemen, who owed, by their oath and duty, obedience to us, representing the high and mighty States-General, and the director of the privileged general West India Company, from their allegiance, absolved them from their oath, and lured them to swear obedience to the crown of Sweden. We pass by in silence, for brevity's sake, the damages, affronts, injuries, anticipations, and usurpations of the presiding ministers of the crown of Sweden, of lands and rivers which we purchased; paid for, and took into our possession; we omit the landing of the vessel, not through the usual channel, not by a course well known to the steersman, but by an unknown passage behind the Staten Island, towards the Raritan kill; all this does not once agree with the arrival of friends and neighbours, but rather betrays spies and enemies; wherefore we, director-general and council in New Netherland, agreeably to our oath and duty to protect our possessions, and recover what was captured, could do nothing less than secure ourselves against such pretended friends, to prevent new losses; but then even were neither the honourable protestant or Swedes treated by us as enemies and prisoners, rather they were treated by us as neighbours and friends. His honour the factor was lodged in the best and principal tavern, by a sergeant of militia, Daniel Litschoe, with the full liberty to go and walk, to converse, associate, and act, when, where, and with whom he might please, as may be proved by witnesses, and a written affidavit here annexed, of the under lieutenant. The passengers and crew, without distinction of nation, (except those who lately were in the service of the West India Company,) were permitted to keep their oath and allegiance, and either remain or depart at their pleasure. The reasons why the ves-

1654.

Answer to
the protest,
continued.

1654.

Answer to
the protest,
continued.

sel, the Shark, was arrested by the director-general and council, and remains yet detained by them, are evident from the act of the resolution, of which a copy, annexed to this document, was delivered to the honourable factor. In the meanwhile, a free and friendly pass was granted to aforesaid factor, Elswyck, at his request, in behalf of his principal, the honourable Director Rysingh, or his plenipotentiary, to come hither, to reconcile, if possible, our several differences. As appears again, by the annexed document, we further consented that said factor might dispose of or sell his masters' effects, and offered the restitution of vessel and cargo, provided the Fortress Casimir, which they took by surprise, is again restored to us, with all its effects, as may be seen by the document; while, in case of refusal, we should detain the aforesaid vessel and cargo, with all its appurtenances, till we received orders to the contrary, to secure it, and have an inventory made of same, to be valued and sold, and the amount deposited, willing to give a receipt for it *in forma*, and which again can be ascertained from the documents, and what more could have been desired from a neighbour in a similar case?

Governor
Stuyvesant's
reply to the
captain's re-
marks re-
specting Fort
Casimir.

“What the honourable Elswyck suggests, that the Fortress Casimir was rather constructed by force, without any right or title, on the soil belonging to her royal majesty, is destitute of all foundation, and cannot be proved, neither can it be undertaken in future. It is true that the governor, John Printz, protested against it, but he never brought any argument or proof forward, that it was his soil, either by occupation, purchase, or gift, and the Fort Casimir was constructed on Swedish territory. No, we showed the contrary to the aforesaid Governor Printz, as we again offer to do, with the same frankness and civility, to the protestant, and all who may be concerned in it, (here, and not at the Hague or Stockholm,) which would be showing a bird on a tree, and prove to his full conviction, by authentic writings, and yet living impartial Christians and nations as witnesses, that there is no doubt that the high and mighty States-General and the lords directors are the only lawful proprietaries of all the lands on the South River, and this partly in virtue of being first discoverers of this country, of having taken first possession of it, and conquered it by the blood of our nation, when several forts were constructed by us, on the east and west

shore, below, above, and in the middle of the river, partly by a lawful purchase and deed of a considerable tract from the original proprietors of the country, included even the spot on which Fort Casimir was constructed, on which, however, we do not absolutely build our claims, indisputable as these are, on the whole South River, but chiefly that we discovered first that country, and took actually possession of it many years before any other nation, *not even the Swedes, in the year 1638, had any settlements on this our South River*, in New Netherland, as this at large was explained in the written answer to Governor Printz, of which the copy is here annexed, and which may answer again the now renewed unfounded protest, without the least need to extend any further explanations on this point; wherefore we are confident that her royal majesty of Sweden was never informed by ministers faithfully and truly with regard to the right of their High Mightinesses, in virtue of the first occupation, and, what is more yet, the first discovery of the whole South River, and yet the property of the noble directors, and thus of the right and title to all the lands on the aforesaid river, both at the east and west, were, in different parts, purchased from the savages, the original proprietors of these lands, or obtained from them as a gratuitous gift; much less, it seems, has her majesty been informed of the answer which we made to the protest of Governor Printz, wherefore, consequently, her royal majesty is not to be blamed, although her majesty might have issued her orders, and authorized his honour Rysingh to assail and surprise the aforesaid Fort Casimir, and even to keep it, with all its ammunition and effects, which otherwise we shall not dare to accredit as commanded by her majesty, whose wisdom and discretion we always have respected and admired. Therefore we protest not against her royal majesty's orders and commission, but against her ministers and officers in this country, both who now administer her government, so with regard the incorrect and abusive informations, as with respect to the suffered affronts, injuries, losses, and hostile attendants against the high and mighty lords the States-General, in their and West India Company's ministry, and principally against the hostile attempt of his honour, John Rysingh, in the surprise and garrisoning of Fort Casimir, with all its houses, ammunition, materials, and other effects; in disarming the company's ministers even of their swords,

1654.

Stuyvesant's
reply, con-
tinued.

1654. against all neighbourly customs and military usages, of all which affronts, injuries, and losses, which indeed could have been yet more pernicious and alarming to the privileged West India Company, as the aforesaid fort was just surprised in a moment when we and our nation were in great distress, and utterly incapable to resist, at same time, two such powerful and neighbourly nations in the attack from two opposite quarters. Wherefore the director-general and council exculpate themselves of all difficulties, calamities, and bloodshed which may be the unavoidable consequences of the hostile attempts of John Rysingh, and other ministers of the general commercial collegè, in behalf of South company of the kingdom of Sweden. They therefore request the notary, Dirck Van Schelluyne, with both his witnesses, to deliver in the presence of our attorney-general, Cornelis Van Tienhooven, this act *in forma*, of an answer, upon the protest of the honourable factor, Hendrick Van Elswyck, as our contra-protest, and to procure, in his behalf, and of all who may be interested in it, an authentic copy of it, *in debita forma*. Done in New Amsterdam, on the 27th October, 1654. Signed,

Stuyvesant's
reply, con-
tinued.

"P. STUYVESANT, NICOLAS DE SILLE,
"LA MONTAGNE, CORNEL. VAN TIENHOOVEN."¹

Nov. 2. The following extract from the original proceedings of the general court for New Haven, shows some further progress in Delaware affairs.

"At a general court for New Haven, November 2, 1654, the governor acquainted the town, that understanding from some that they expected some information about Delaware Bay, whereupon he read to them a letter he wrote to the Swedish governor by order of the general court, in July last, and an answer thereunto received from the Swedes governor, and a letter written by the commissioners in answer to that; (these letters do not appear on the records;) also, that when he was at Hartford, at the convention, several spoke to him there about their going thither, if it might be planted, and therefore the town may now consider which way it may be carried on; but after much debate about it, and scarce any manifesting their willingness to go at present, a committee was chosen, viz. Robert Seely, William Davis, Thomas Munson, and Thomas Jefferey, to whom any that are willing to

Meeting of
court in re-
lation to De-
laware.
Letters from
Swedish go-
vernor,

What ought
to be done.
Few willing
to go. Com-
mittee ap-
pointed to re-
ceive appli-
cations.

¹ Albany Records, vol. ix. pp. 266—272.

go may repair, to be taken notice of, and that if there be cause, they treat with those of New Haven who have purchased those lands, to know what consideration they expect from them."¹ 1654.

An unfortunate affair occurred between Factor Elswyck and one Matthias, from Providence, while the former was awaiting the result of matters at Manhattan. It appears from the record, that Matthias "dared to make, October 28, an assault on his commander, H. Van Elswyck, factor, &c., and in his own lodgings prosecute him with his drawn knife." Owing to the interposition of spectators, the factor was saved. Not satisfied with having committed this outrage, Matthias "indulged in scolding said factor, saying, 'ye Swedes, ye villains, ye beggars,' with other abusive names, and cursing, when he escaped from the attorney-general, either through the negligence of the attorney-general or his officers, or by his own dexterous agility, showing them his back, and mocking their vigilance." Van Elswyck complained in court, "said Matthias, in 1648, was publicly punished for a crime, and afterwards several times imprisoned; he more than once broke jail; the plaintiff asks that the prisoner shall be hung;" the prisoner replies, "I resign myself to the director-general and council, let them do what they please; I prefer to be hung before I should be so scandalized." He confessed he actually committed the crime, but said the factor was first transgressor, and kicked him. He was allowed twenty-four hours to exculpate himself. He again appears in court, and says, "factor scolded him, calling him a rascal, thief, and bloodhound;" "all what your honours do is well, I see I am to be despatched." "The factor said to him, at Porto Rico, 'I pardon you what you did, but when I arrive thither I shall claim justice;' Matthias replied, 'I thank you; I too shall bring you where the sea cannot overwhelm you.'" He was sentenced to be taken from prison to the place where justice is executed, rigorously beaten with rods, and then banished for twenty-five years.²

Nov. 14.
Factor Elswyck is attacked with a knife, by one of his men, who is tried, whipped, and banished.

The West India Company, in Amsterdam, when they received the news of the capture of Fort Casimir, expressed their astonishment in a general letter to the director, which we have not been able to find. It is, however, referred to in

¹ New Haven Records, vol. from "5th February, 1649," to "1st July, 1662," p. 158.

² Albany Documents, vol. ix. p. 281.

1654. another letter from the same source, with their further views upon the subject, and expressing their opinion that the director ought to "revenge that injury," and of the measures they are adopting to secure his success.

Extract of a letter from the directors of the West India Company to P. Stuyvesant, dated Amsterdam, November 16.

Letter from
West India
Company to
Stuyvesant,
on receiving
the news of
surrender of
Fort Casimir.
Their views
of the trans-
action.
Course re-
commended.

"Honourable, valiant, beloved, trusty—You must have perceived, from our general letter, how we were astonished at the infamous surrender of the company's fort on South River, and the violent and hostile usurpation of the Swedes in that part of the country. We then did not consider it prudent to develope our intention more explicitly, as it ought to be kept secret; it is, however, nothing less than that your honour ought to exert every nerve to revenge that injury, not only by restoring affairs to their former situation, but by driving the Swedes from every side of the river, *as they did with us*, provided that such among them as may be disposed to settle under, and submit to our government, may be indulged in it. We should, nevertheless, prefer, (and nothing must, with discretion, be left untried to obtain this end,) if they could be persuaded to select other places for their residence, within our district, as we should be more gratified if the borders of this river were inhabited by Dutchmen. No means ought to be neglected, in case of success, which God may grant for its accomplishment, either by encouraging Dutch settlers, by bounties or other more powerful luring motives; it is, in our opinion, the interest of the company and of the government, that the possession of that river is secured to us.

Fitting out
the King
Solomon.
Authorize
pressing ves-
sels into the
service.

"We have already given orders that the ship King Solomon, with the remaining supply of the promised succour, be prepared for this voyage, as you will be in want of both in the contemplated expedition, and we hope yet, if the frost does not prevent it, that she will sail before winter sets in; but as this is uncertain, and more yet, when about in the spring it may arrive in New Netherland, while a long continued winter might disappoint such an expedition, so is it, that we, fearing that the Swedes might, meanwhile, have received aid, and fortified themselves on that river, deemed it highly serviceable to urge you seriously, and to commend that your honour will engage for this expedition, one or other vessel, and we give you, in consideration if the last arrived ship, the Black Eagle, would not answer your purpose in

every respect, while, in case of refusal, either from the side of the owners or skippers, you may at last compel them to submission, as in similar cases; no excuses or private interests can be admitted, as may be proved from daily examples in our government. What regards the fresh supply of soldiery, believe us, here too we are on the alert, and the proof that we are deeply interested in it is at hand. The drum is beaten daily, so that we hope that we have it yet in our power to embark a number of soldiers in the ship the Great Christopher, with a gunner and two carpenters; however, if, as it may happen, we did not succeed in this to the utmost of our intention, and could not obtain so many soldiers as we intended, then that it is our opinion, which agrees with that of Lieutenant Nuton, that your honour can supply this want, particularly if this enterprise is directly undertaken, before the Swedes can receive assistance. You have actually nothing to fear from any other enemy, being in peace with your English neighbours, so that all the soldiers, with the licensed, who in similar cases are in duty bound to serve the company, can be employed; so too, all free persons who might offer themselves for this service, as the citizens of New Amsterdam are fully competent and strong enough to secure that city, without any danger, if only good order and police are established there, which we dare and will intrust to your honour's prudence and carefulness. The digging tools which you required are sent by the ship Great Christopher, with a quantity of gunpowder, so that you need not wait for the residue, which it is our intention to send by the first opportunity."

1654.

Letter from
West India
Company
continued.

"We forgot to mention that your honour ought to leave nothing untried to apprehend Gerrit Bikker, late commander of the fort of the company, (Casimir,) on the South River, while we, from the documents which we have received, and from private information, are compelled to conclude that said person has acted in his office very unfaithfully, yea, treacherously; that he thus, without any connivance, to an example of others, ought to be punished, as all others who have shared more or less in this shameful transaction, the pursuit of which we seriously recommend to your honour, while we look forward to the letter in which your honour shall inform us that this enterprise has been crowned with success. Meanwhile, honourable, valiant, beloved, trusty, we recommend you to

Commander
of the fort to
be arrested.

1654. God's protection, your good friends, the directors of the
 West India Company, DAVID VAN BUERLE,
 ABRAHAM WILMERDONK."¹
 "Amsterdam, Nov. 16, 1654.

In other letters written by the West India Company, shortly after the preceding, they speak of the "cowardly surrender" by the commander, and call upon the director for the necessary documents, to enable them properly "to explain this hostile aggression and justify their title;" some papers before sent by the director not having been properly authenticated.

Nov. 23.

Further views of the surrender. Ask for title-deeds for purchase.

"It is difficult for us to say, if we are more astonished at the audacious enterprise of the Swedes, in taking our fort on the South River, or at the cowardly surrender of it by our commander, which is nearly insufferable. It is thus of imperious necessity, that such measures directly are adopted, by which further mischiefs might be avoided. We recommend your honour most seriously, that we may be enabled here to explain this hostile aggression, and justify the title of the company to this district, to send us, by the first opportunity, not only authentic copies of the deeds, and their acknowledgment of this tract of land which we purchased, on the South River, in the year 1650, but all such original documents and papers as may be serviceable to their corroboration."²

Unauthenticated papers sent.

"Among the documents joined to said letter of Peter Stuyvesant, July 27, are certain certificates and affidavits relative to the scandalous surrender of the company's fort on South River, which are deficient in a principal requisite, as they ought to have been taken under oath, and recorded, without which they can never have any value in a court of justice." They then order verified copies to be sent. Some soldiers go by this vessel.³

Nov. 26.

The Golden Shark loaned for the West India trade.

What further proceedings succeeded the answer of the governor to Captain Elswyck's protest, the documents do not show, but the following record would lead to the inference that the Dutch had not given up the vessel, as it is mentioned that "the Golden Shark is loaned by director and council to the associates for four or six months, for the West India trade." She appears to have been prepared by director-general and council.⁴

¹ Albany Records, vol. iv. 157—159.

² Ibid. p. 166.

³ Ibid. p. 168.

⁴ Ibid. vol. ix. p. 236.

Another meeting of the general court was held, for the purpose of receiving a report from the committee appointed on the 2d instant, whose transactions will appear from the following minute. 1654.

“At a general court held for New Haven, 27th November, 1654, the committee which was appointed the last court, about Delaware Bay, acquainted the town that they had desired this meeting, that they might inform them what they had done in that trust committed to them. They had spoken with sundry persons in the town, but that not answering expectation, they got a meeting of the brethren and neighbours, and for the most part they were willing to help forward the work, some in person, others in estate, so the work might be carried on, and foundations laid, according to God, and at that meeting they desired that the governor, and one of the magistrates, with one or both the elders, might by their persons help forward that work, whereupon they had a church meeting, and propounded their desire. The elders declared they were willing to further the work, and were glad it was in hand, but Mr. Davenport said, in reference to his health, he saw not his way clear to engage in it in person, nor Mr. Hooke, because his wife is gone for England, and he knowing not how God will dispose of her. The governor gave no positive answer, but said it was worthy of consideration. They further informed that some from other plantations see a need of the work, and are willing to engage in it, and the rather if it be begun by New Haven, and foundation laid as here, and government so carried on, thinking it will be for the good of them and their posterity.

“They also declared that they had treated with the proprietaries about the purchase of the lands, and understand that they are out about £600, but are willing to take £300, to be paid in four years, that is, £100 at two years, and another at three years, and the last at four years’ end, which they accepted of, if a suitable company appeared this spring to plant it.

“After these things, sundry debates passed about it, and divers declared themselves willing to go, if they might see some appear as leaders to them, for settling and carrying on civil affairs there; and in the issue it was propounded to Mr. Samuel Eaton and Mr. Francis Newman, two magistrates in this jurisdiction, to go along with them, who, after some

Nov. 27.

Report of committee appointed last court on Delaware. Some willing to help. The governor, magistrates, and elders solicited.

Mr. Davenport declines on account of health. Mr. Hooke on account of his wife’s absence. Prospect of aid from other plantations.

Purchase of lands. Money expended for them.

Discussion about leaders. Messrs. Eaton and Newman requested to go. They consider upon it.

1654. persuasions, were willing to take the matter into consideration."¹

About this time, extensive negotiations were progressing, relative to the boundaries of New Netherlands, between the English and the Dutch. We find the following minute and resolution of the States of Holland, December 4.

December 4.
Negotiations
between the
Dutch and
English, on
the subject
of limits.

"Received a letter from the Dutch ambassador, at London, dated Westminster, 27th November, with an extensive report concerning their negotiations about the limits between the subjects of this republic and the English subjects in New Netherland. Resolved, to advise, at the assembly of the States-General, to send a copy of the aforesaid letter to the presidential chamber of the West India Company, in order to give, with the utmost speed, their considerations and advice, as well as full information on all the points mentioned in the same letter."²

The answers of the gentlemen to whom the proposition was made, at the last meeting of the court, to act as leaders in the contemplated expedition, may be learned from the following proceedings.

Dec. 11.
Another
meeting of
court, to re-
ceive the
answers of
Eaton and
Newman.
Both willing,
under cir-
cumstances.

"At a general court for New Haven, December 11, 1654, the committee appointed about Delaware Bay acquainted the town that they desired this meeting, that the town may receive the answer of Mr. Eaton and Mr. Newman, in the matter propounded to them the last court. Mr. Eaton gave answer, that it is necessary there be some leader in such a work, but for his part, this jurisdiction having an interest in him, which he must have respect to, but if it appears that God call him thereunto, he shall be willing. Francis Newman assented to what Mr. Eaton said, and declared, that if a meet number appear, for quantity and quality, that the work of Christ may go on in church and commonwealth, foundations laid, and things carried on as here, and that in convenient time this next spring, at furthest, though he has sundry objections in respect of himself, and private occasions, yet he is so far willing to further the work, as he would not, by his withdrawing, hinder it."³

Dec. 23.

The following decree is passed by Charles Gustavus, in

¹ New Haven Records, p. 160, 161.

² Miller, MSS. before referred to. See also *Brodhead's Address*, p. 35, and *O'Call.* vol. ii. p. 279, and *Holl. Doc.* vol. vii.

³ New Haven Records, p. 161.

relation to tobacco. By an ordinance of last year, it was judged proper "to suppress and abolish the privileges granted to a certain company for the monopoly of that commerce," "in consequence of the divers complaints and inconveniences which have resulted therefrom, and particularly as the tobacco, considered in itself, is a merchandise which is necessary to the comfort of no one, and for which each one ought to repress and restrain his unaccountable taste; and as we have just reason to stop and forbid, rather than permit and facilitate the commerce and importation of tobacco, yet a deep-rooted custom having so far spread itself, that in our kingdom the people very generally purchase and make use of the tobacco, it has appeared to us to be dangerous to suppress and forbid entirely the importation of the same, but we have rather desired to devise means by which to render the commerce in it to contribute to the public good. In consequence of these reasons, the exclusive privilege is granted to the company of America, under certain conditions, hoping that by this means, not only New Sweden will be able to support itself and prosper, but also that our nation will have greater opportunity and facility for accustoming itself to the navigation and commerce of America, and that it will endeavour to improve itself in the same." No one, under any pretext, shall "dare, or have the power or permission to bring in, or cause to be brought into the kingdom, or the Grand Duchy of Finland, Carelie, Kirgersmary, Gottland, Holland, and Jempstland, any portion of tobacco, secretly or openly, either to sell or for his own use." "Any person contravening, by importing from the smallest quantity up to 20 pounds, for the first offence, shall lose all, and pay 40 marks of silver; for the second, 80 marks, and for the third, double, and so on for every offence; for over 20 pounds, for every pound, a fine of 20 runsticks of silver, and confiscation of the tobacco." All officers to prevent infractions.¹

Andreas Hudde, late commandant of Fort Nassau, applies to director-general and council to be appointed schoolmaster. It is referred to the minister and consistory.²

Governor Stuyvesant sails from Manhattan to Barbadoes, to make some arrangements for trade.³ It afterwards appears he did not inform the company of his intention.

1654. Exclusive privilege to import tobacco by company of America, restored. Curious reasons for penalty, on contravention of ordinance.

A. Hudde wishes to be a schoolmaster.

Dec. 25. Stuyvesant sails for West Indies.

¹ MSS. A. P. S., Reg. Penns. vol. v. p. 15.

² Albany Records, vol. ix. p. 309. Arel. 413.

³ O'Call. vol. ii. p. 276.

1654.

December.

Estimate of
officers and
their pay, in
New Sweden,
for 1655.

The Swedish government, calculating upon their continuance in power on the Delaware, made the following estimates of expenses for New Sweden, for the following year, 1655: one commandant, at 75 silver dollars per month; one captain, 36; one lieutenant, 24; one ensign, 18; one sergeant-major, 15; three gunners, 8, each of whom is to have charge of the magazine in his redoubt; one corporal, 9; one drummer, 7½; thirty-six soldiers, at 4; one provost, 9; one executioner, 6; three priests, 10; one superior commissary, who shall also be book-keeper, 20; one fiscal, who is also to be adjutant to the commander, 12; one barber, (surgeon?) 15; one engineer, who is also secretary, 12; one sub-commissary, placed at the River Hornkill, 12; total, 550½ per month, 6606 per annum, dollars of silver, or 4404 rix dollars.¹

1655.

The subject of settling on the Delaware again claimed the attention of the people of New Haven.

January 30.
Petition of
company in-
tending to
go to Dela-
ware for aid.

"At a general court held at New Haven, for the jurisdiction, 30th January, 1655, a petition was presented by Thomas Munson and John Cooper, of New Haven, on behalf of a company of persons intending to remove to Delaware Bay, wherein they propound, that for the enlargement of the kingdom of Christ, the forwarding of the gospel, and the good of posterity therein, that they may live under the wings of Christ, they would afford some encouragement, to help forward so public a work.

Ask for two
magistrates
to go with
them.

"1. That two magistrates, Mr. Samuel Eaton, and Mr. Francis Newman, may have liberty from this court to go in person at first, and in case they see not themselves called to lay out so much of their estate as is like to be disbursed in such an undertaking, that then it would please the court, that out of the jurisdiction they may be honourably provided for, as men that are willing to lay themselves out for the public good.

Ask the pro-
tection of
the juris-
diction, till
they can es-
tablish
themselves.

"2. In case that there be an undertaking, then that they may at first go under the protection of this jurisdiction, and that in case of any affront, the jurisdiction will engage to assist, till, by the blessing of God, they may be able of themselves to set up a commonwealth, according to the fundamental form of government laid at New Haven.

¹ MSS. A. P. S., Reg. Penns. vol. v. p. 15.

“3. That seeing our numbers are yet small, about or between 50 and 60, we desire the court to consider what number they think may be a competent number, that we may secure God’s providence, and yet not let the work fall for want of too great a number. 1655.

“4. That two great guns and powder, and what belongs to them, might be granted. Want guns and powder.

“5. Seeing that most that have purposes to go, do only for public respects undertake, and not for any need at present, and that they do leave their houses and lands without that improvement that they themselves did make, they desire that for some time, as the court shall think meet, they may be freed from rates and public charges. Those who go ask exemption from taxes while absent.

“6. Seeing that they whose hearts God stirs up to undertake at first, are men, for the general, of no great estate, and some cannot go without help, we desire that a sum of money may be raised in this jurisdiction, which may be employed either to buy a small vessel that may attend their service, or otherwise, as shall be thought meet. Now that which occasions this last, is not only the sense of their great expense and charge at first, and the present need that some have now, but also we have heard from sundries, that generally men are willing to help on the work, either by persons or estates. Thus begging pardon for our boldness, and humbly desire to submit all their consultations unto the direction of the God of wisdom, and so remain yours to be commanded, Ask money to be raised to buy a small vessel.

JOHN COOPER, THOMAS MUNSON,

“In behalf of the rest.”

To which the court returned :

“That having read and considered a paper of some propositions presented by Thomas Munson and John Cooper, of New Haven, in the name and behalf of sundry persons of this jurisdiction and elsewhere, appearing as undertakers for the first planting of Delaware, in order to the public good of this jurisdiction, and the enlargement and further advancement of the kingdom of Christ in these parts, do return in answer as followeth : The court replies to the petition.

“1. That they are willing so far to deny themselves for the furtherance of that work, in order to the end propounded, as to grant liberty to one or both of those magistrates mentioned to go along with them, who, with such other fit persons as the court shall see meet to join with them, may be Allow the magistrates, with such others as they see fit.

1655. empowered, for managing of all matters of civil government there, according to such commission as shall be given them by this court.

Will provide for the present and future government, if the settlement increases. The governor may be alternately at New Haven and Delaware.

"2. That they will either take the propriety of all the purchased lands into their own hands, or grant it to such as shall undertake the planting of it, provided that it be and remain a part or member of this jurisdiction. And for their encouragement, they purpose, when God shall so enlarge the English plantations in Delaware, as that they shall grow the greater part of the jurisdiction, that then due consideration shall be taken for their ease and conveniency of both parts, as that the governor may be one year in one part and the next year in another, and the next court for making laws may be ordinarily but once a year, and where the governor resides; and if God much increase plantations in Delaware, and diminish them in these parts, then possibly they may see cause that the governor may be constantly there, and the deputy governor here, but that the lesser part of the jurisdiction be promoted and eased by the greater part, both in rates and otherwise, which they consider will be both acceptable to God, and (as appeareth by the conclusion of the commissioners, anno 1651) most satisfying to the rest of the United Colonies.

Will consult the other plantations about encouragement.

"3. That for the matter of charge propounded for encouragement to be given or lent, to help on their first beginning, they will propound the thing to the several particular plantations, and promote the business for procuring something that way, and shall return their answer with all convenient speed."¹

It appears that a Mr. *John Cooper*² had been to Delaware, and returned to New Haven. In order to afford him an opportunity of imparting the information he possessed, as well as to take further necessary measures, a special meeting of the court was called. Of their proceedings we have the following minute:

March 16.

"At a general court for New Haven, 16th of March, 1655, the town was informed that the occasion of this meeting is to let them understand how things are at present concerning Delaware, now *John Cooper* is returned, he finding little en-

¹ New Haven Records, pp. 83—85.

² May not the above John Cooper be an ancestor of the present extensive Jersey family of that name?

couragement in the bay, few being willing to engage in at present, and therefore they may consider whether to carry it on themselves, or to let it fall. Mr. Goodyear said, notwithstanding the discouragements from the bay, if a considerable company appear that will go, he will adventure his person and estate to go with them in that design, but a report of *three ships being come to the Swedes* seems to make the business more difficult. After much debate about it, it was voted by the town, in this case, that they will be at twenty or thirty pounds charge, that Mr. Goodyear, Sergeant Jeffery, and such others as they think fit to take with them, may go to Delaware, and carry the commonwealth letter, and treat with the Swedes about a favourable settlement of the English upon their own right, and then, after harvest, if things be cleared, the company may resort thither for the planting of it."¹

This is the only account we recollect to have seen of the arrival of the Swedish vessels. If correct, they probably arrived after the vessel in which Rysingh came: it will be recollected he speaks of a considerable increase, in a few months after his arrival.

Several persons having expressed a willingness to proceed to Delaware, another meeting of the court is held, on the 9th of April.

"At a general court for New Haven, 9th April, 1655, the town was informed, that the occasion of this meeting is about Delaware Bay; there being several who have purposed to go, but they conceive they want both number of men and estate to carry it on: now if any be willing to further it in person or estate, they may do well to declare it, it having been first made known to them that, though they may go free, and not engage to be a part of this jurisdiction, yet they, and all such as come after, must engage to go upon the same foundations of government as were at first laid at New Haven, which were now read unto them, and though some objections were made, yet, notwithstanding, the business proceeded, and divers declared themselves willing to further it, as appeared by a note in their secretary's hand.

"And for their further encouragement, the town granted, if any go, and leave none in their families fit to watch, their wives shall not be put upon the trouble and charge to hire a watchman, the persons only which are present being to carry

1655.

A person returns from Delaware. Reports discouragingly. Some willing to go notwithstanding.

Arrival of three Swedish ships at Delaware.

Town votes £20 or £30. Send letter to the Swedes.

Respecting the arrival of the Swedish vessels.

April 9.

Several proposing to go to Delaware. Court expects them to be under jurisdiction of New Haven.

Watchmen shall be provided for their families in their absence.

¹ New Haven Records, p. 165.

1655. on that service. They also further agreed to lend the company the two small guns which are the town's, or else one of them and one of the bigger, if they can procure leave of the jurisdiction for it, with at least half a hundred of shot for that bigger gun, if they have it, a meet proportion of musket bullets, according to what the town has, and also a barrel of that powder which the town bought of Mr. Evans; and concerning their houses and lands which they leave, what of them lying unimproved shall be free from all rates, one year and a half from the time they leave them, paying as now they do for what they improve; then they shall have one year's time more, that they shall pay but one penny an acre for fenced lands and meadow, as they do at present. But if they dispose not of them when that two years and a half term is out, they must pay for their lands after the old way of rating, viz. four pennies and two pennies an acre, while they keep it in their hands."¹
- Town will lend 2 guns, shot and powder.
- Their houses and lands to be free from taxes for a time.
- After two years and a half, must pay usual rates.

April 26. ship, were approved in Holland, for in a letter of this date from the West India Company to the director-general, they say, "we approve of your prudence in arresting the Swedish vessel, with its cargo, while we, in our last to the director, have declared our mind in what manner the Swedes on the South River ought to be treated, however, we cannot omit to inform you, that we, in our deliberations upon, and examination of the claims of the company in the South River, discovered that the transmitted copies of the documents were not only insignificant, but in places unintelligible, and principally the documents between the Director Stuyvesant and the Swedish governor, in 1650." Then referring to the call made by the English to see our documents, viz. letters-patent and deeds of the land purchased by the company, with the provisional contract between us at Hartford, in 1650, they say, "but to our great surprise, none of these documents have been received by us."²

Ship of 36 guns almost ready to sail for South River.

In reference to the proposed expedition against the Swedes, after alluding again to the instructions given to Stuyvesant, (who at this time had gone to Barbadoes, without notice to the directors, till his letter from there in January,) in regard to the treatment of them, they inform him that they "have hired from the burgomasters one of the largest and best ves-

¹ New Haven Records, pp. 166, 167. ² Albany Records, vol. iv. p. 177.

sels, *the Vigilance*, of 36 guns, which is now preparing to sail in twelve or fourteen days; as soon as she shall have arrived, you are commanded and authorized to undertake this expedition with all possible despatch and prudence, even if the director shall not be returned from his voyage. You may open this letter and act conformably; keep secret. We are informed the Swedes are making immense preparations in Sweden to second their countrymen on the South River."¹

1655.

Expedition
to be com-
menced.

Further instructions are given by the West India Company to Stuyvesant, on the treatment of the Swedes, and the expedition. "We informed you in our last general, and now here enclosed letter, in a manner sufficiently plain and intelligible, as we presume, what our opinion and intentions were with regard to the Swedes on South River; which warning or order we now renew, with this further explanation, which we have adopted after mature elucidation, that after your exploit shall have been successfully executed, you permit them to hold the land on which Fort Christina is built, with a garden to cultivate the tobacco, because it appears that they made this purchase with the previous knowledge of the company, provided said Swedes will conduct themselves as good subjects of our government and company, of which we inform you, that you may act accordingly, while we, before we leave this point, must recommend you once more, in the most serious manner, to make the utmost speed, after the arrival of the man-of-war, with this exploit, while we cannot doubt your honour has already made all the necessary preparations, as we had informed you of our intentions, by the Bompdeka."

May 26.

Further in-
structions
about the
Swedes.
Fort Chris-
tina to be
given them,
if expedition
is successful.

They allude to instructions sent on the same subject, in a private letter, supposing Stuyvesant still absent.²

May 28.

Governor Stuyvesant having returned from Barbadoes, though probably before he could have received the foregoing instructions from Amsterdam, sets himself to work, and makes various preparations for the intended expedition against Fort Casimir, *alias* Trinity. The first measure that we have noticed was a proclamation for "a general fast, thank, and prayer day, on the 25th August," which says, "but which is the chief object on this solemn humiliation and thanksgiving, is to implore the only bountiful God, that it may please him to bless the projected expedition, only undertaken for the greater security, and extension, and consolidation of this pro-

August 16.

Proclama-
tion for a
fast for the
expedition.

¹ Albany Records, vol. iv. p. 180.

² Ibid. pp. 186, 191, 193.

1655. vince, and to render it prosperous and successful, to the glory of his name." The director and council prohibit "all usual exercises, as ploughing, sowing, mowing, fishing, and hunting, on that day, and all other amusements and plays, all tapping and intoxication, under penalty of arbitrary correction."¹

Superintendents of expedition.

The governor and Montagne, being too sick to superintend the expedition, they appoint Vice-Director De Sille, and Attorney-General Tienhooven,² to perform that duty, in connection with the captain of the "Weigh-scales," the valiant Frederick de Koninck.

August 19.

Offers to those who enlist or are wounded.

An invitation is given "to any individuals loving the increase, welfare, and security of this now flourishing province of New Netherland, inclined to serve in the projected expedition, either from principle, or at reasonable monthly wages," to address themselves to the director-general and council, or any member of council, who "make the solemn promise, that if any person (which God avert) come, by any offensive or defensive measures, to lose a limb, or become maimed in any manner whatever, such a one shall receive due compensation."³

August 19.

Demand on merchant vessels for the expedition.

"The director-general and council, assisted by the valiant Captain Frederick De Koninck, deeming it necessary for the service of the province, for various reasons, to solicit the use of a few merchant vessels for the service of this country, provided a suitable compensation shall be allowed, to undertake, with their aid, the proposed expedition, under God's blessing, agreeably with orders of the directors; and in case the skippers might decline to engage in it, then it is resolved in council to command all such to engage in their country's service, with their vessels, ammunition, and crew, with their victuals and implements, subject to the orders of the director-general and council, and join this expedition, with the man-of-war 'Balance,' despatched from Holland for this purpose, and to sail to South River, and remain there so long as the director-general and council, or their delegates, may judge they may be of service to their country, for which service, a reasonable satisfaction shall be given to the skippers, or their employers, at Amsterdam, in Holland, by the directors and patrons of New Netherland. Signed, PETER STUYVESANT,

"DE SILLE, TIENHOOVEN."⁴

¹ Albany Records, vol. xi. pp. 30, 32.

² Ibid. p. 28.

³ Ibid. p. 33.

⁴ Albany Documents, vol. xi. p. 34, 35.

Foppe Jansen is appointed, by council, "provisional commissary, to superintend and take care that all ammunition and victuals required for the projected expedition, of which correct lists shall be delivered to him, are obtained, shipped, and due attention paid to them during transportation."¹ 1655.

Persons were sought for "who have a perfect knowledge of the bottom, depths, and shoals in and about South River, to make use of them as pilots. Sol. Garretson and Peter Lourison were engaged, as thoroughly acquainted with those waters, at 10 shillings per day." August 24. Pilots engaged.

Edmund Scarborough presented a petition to the director-general and council, "that he may depart from Manhattan, with his sloop and some *negroes*, for Virginia," which was granted, "provided he give security to the value of £5000 sterling, that he will neither directly nor indirectly run into the South Bay nor river, and that his men do promise, upon oath, not to do the same, nor to give any intelligence to any person, on sea or shore." A person of this name was surveyor of Virginia, at or about this time.² August 24. A person applies to council to depart with a sloop and negroes for Virginia. Gives bond not to enter South River, and keep secrecy.

Director-general and council, "considering the feebleness of the college when the director-general and honourable De Sille shall be gone to South River, as they, under God's guidance, are resolved," other persons are appointed to act. August 25. Persons appointed to act in absence of director-general.

The director-general takes with him 1500^o gyllens of black and white seawan, on the expedition to South River, to be used for the service of the company, either to pay soldiers' expenses or victuals, or for presents to the natives.³ Director takes money for the expedition.

The day before set apart throughout the province for fast, thanksgiving, and prayer, for the expedition. Fast day.

The skipper of ship Love is commanded to engage with his ship, for the expedition, on "our assurance of remuneration, and to be ready with his crew, ammunition, and victuals, besides all such implements and materials for embarkation, as may be sent on or before Thursday next." August 29. Vessels pressed into the service, with ammunition, &c.

Several skippers, it appears, declined acceding to the commands of the director-general and company, who thereupon assume a more persuasive mode, and say, "if the aforesaid skippers or merchant vessels accommodate them each with Skippers decline. Council use milder language.

¹ Albany Documents, vol. xi. pp. 34, 35.

² MSS. A. P. S., in Reg. Penns. vol. iv. p. 96. Albany Records. McSherry's Maryland.

³ Albany Records, vol. x. pp. 88, 91, 92, 94; vol. xi. p. 35, 39, 64.

1655. two men, besides with the surplus of their victuals and ammunition, on all which it is resolved to indemnify the skippers, and at the same time they are permitted to take in their lading, provided they remain at anchor till the success of the expedition shall be known, or if ready before, to fetch their permit and despatches from South River, while the director-general and council deem it of the highest importance to inform the mayors in Finland, as soon as possible, of the success of the expedition."

May take in cargoes, but must remain at anchor till the success of the expedition is known.

August 29. Further demands for vessels, provisions, &c. "Van Tienhooven and Frederick De Koninck, captain of the man-of-war 'The Balance,' are by warrant authorized and commanded to go on board the ships 'Bear,' 'Spotted Cow,' and 'New Amsterdam,' and first solicit the said skippers, and on refusal to command them, and require from each ship two men, 200 pounds stockfish, two or three firkins of barley, one ton of beef, one ton of pork, with 300 pounds of bread, and as much powder as they can spare, without inconvenience, delivering to the skippers a receipt."¹

August 30. Last warning. A formal notice is served upon each of the skippers of the vessels New Amsterdam, Spotted Cow, and Bear. "The skipper of the ship is warned, for the last time, to send without any further delay, two expert sailors on board the man-of-war the Balance."²

Three yachts engaged, Three yachts are also employed for the expedition, at six guilders a day, provided they, the skippers, procure two men and one boy at their own expense."³

August 31. A French privateer engaged. Damages to be paid. The director-general and council "have deemed it necessary, to insure the success of the proposed expedition, to engage, besides the vessels and yachts in actual service, the *French privateer* lately arrived here, and named L'Esperance." In case the galliot receives damage, Captain Jean Flamand is to receive reasonable compensation, agreeably to decision of impartial and expert men."⁴

Sept. 5. Sailing of the expedition. All these, and probably other preparations being completed, the vessels take their departure for the South River, where, after a very short passage, they arrive in safety. The fleet consisted of seven vessels, having on board from six to seven hundred men. The director-general was accompanied by the honourable Mr. De Silles, and the Rev. Mr. Megapolensis, as chaplain, a force certainly amply sufficient to com-

¹ Albany Documents, vol. xi. pp. 36—38.

² Albany Records, vol. xii. pp. 41, 42.

³ Ibid.

⁴ Ibid.

pel the small number of Swedes on the Delaware to any measures they might see proper to propose. 1655.

Although the preparations at Manhattan seem to have been conducted with no special secrecy, except so far as to prevent persons departing who could communicate information immediately to the Swedes, they appear not to have been fully apprized of the facts; yet it is asserted that they had a hint of what was in progress, through some of the savages; but whether they placed confidence in their reports or not, no special means of defence were apparently adopted by them.

The first point on the Delaware where we hear of the fleet, was Fort Elsingborg, which was in ruins. Here they made arrangements for the grand attack on Fort Casimir. Fortunately, we have a full report of the proceedings of the Dutch, in the following letter from Stuyvesant himself, dated at Fort Casimir, after the surrender.

Letter from Stuyvesant to the council at Fort Amsterdam : Sept. 12.

“Honourable, prudent, and discreet—On Sunday, justly eight days from this day, after the sermon, was our departure. The next day, about 3 o'clock in the afternoon, we arrived in the bay of the South River; a profound calm, with an inconvenient tide, prevented our coming up till the following day, when we cast anchor before the Swedish *Fort Elsingborg*; there we took a review of our small force, and divided it regularly into five sections, each under its own colours. On Friday morning, wind and tide being propitious, we lifted anchor, passed Fort Casimir about 8 or 9 o'clock, without any act of hostility from either side, cast our anchor about the distance of a small *goteling's* shot above the aforesaid fortress, went directly on shore with our force, despatched Captain-Lieutenant Smith with a drummer, towards the fort, to claim the direct restitution of our own property. The commander solicited time for consideration, and till he should have communicated the event to Governor Rysingh, which was rejected; meanwhile were all the passes leading from the fortress to that of Christina, occupied by fifty of our soldiers, while the commander, Schute, was a second time solicited and warned, under the favour of our cannon, that he would not wait an attack of our troops, to avoid bloodshed, with other more serious calamities. The commander, in answer, solicited an interview with us for a negotiation, which being acceded to, he did meet us in the valley, about the

Stuyvesant's letter to the council, after the surrender of Fort Casimir.

1655. middle, between the fort and our newly-constructed battery; and instantly was his request that he might be permitted to despatch an open letter, after it was shown to us, to the governor, which proposal was seriously rejected. He left us then, dissatisfied, on which our troops approached the valley in sight of the fort. When, in the meanwhile, our breastworks were raised about a man's height, the surrender of the fort was demanded for the third and last time, on which was humbly supplicated a further delay, till early the next morning, which was granted, because we could not be ready with our battery that evening or following night, to approach yet nearer the fort, under the favour of our guns. The next morning the commander appeared, and entered with us into a capitulation, on the following conditions: about morn, our troops, with flying colours, marched into the fort, and this day a sermon was delivered, with our imperfect thanksgivings, as God's hand and blessing was so remarkably visible with us, as well in the weather and prosperous success, as in the discouragement of our enemies; wherefore we request and command, that the allwise and good God shall not only, on the usual days of worship, but on a solemn day, to be appointed by your honours, be openly thanked and praised, and be further ardently addressed with prayers, that it may please his Divine Majesty to favour us with his further aid and blessings.

Stuyvesant's
letter, con-
tinued.

"Yesterday, about noon, when the fortress surrendered, arrived the factor, Elswyck, from Fort Christina, and asked, in the name of the commander, in a courteous manner, the reasons and intention of our arrival, with the orders of our principals. The answer was, 'to recover and preserve what belonged to them.' He then requested that we might remain satisfied with what has been effected, without advancing more forward towards the Swedish fortress, with persuasive eloquence and courteously artful arguments, at last interlarded with threats, *hodie mihi, cras tibi*, which were answered as the tone and the case required. Our small force is meanwhile preparing to march hither to-morrow, or the day after to-morrow. We are induced to move slowly on for our own salvation, partly to try our men, partly to send your honours an early communication, with regard to the first and last orders of our lords the mayors, in their last letters relating to that point, expecting your advice and opinion on these

letters with the present messenger, who is to return without delay; and to enable your honours to do this with greater effect, I send you a copy of their private letter, addressed to me personally, which letter your honours will be so good [to return?] with their general letter on this subject, and communicate us their advice. 1655.

"I will, meanwhile, consult on the best measures, with the honourable De Sille and Captain Koninck, and adopt them accordingly, with which concluding, I recommend you to God's protection, and remain, meanwhile, honourable, prudent, discreet, your affectionate friend, P. STUYVESANT.

"In Fort Casimir, 12th September, 1655.

"About thirty Swedes have submitted to us, and solicited to be permitted to go to the Mannhattans, whom you may expect by the first opportunity, and whom ye will treat with civility. We hope these will soon be followed by others."¹

The following are the articles of capitulation at Fort Casimir, or Trinity: Sept. 11.

"Capitulation or conditions on which Fort Casimir, by its commissary, Swen Schute, was surrendered to the honourable director-general, Peter Stuyvesant. Articles of capitulation of Fort Casimir.

"1. The commander shall, whenever it may please him, or when he obtains an opportunity, by the arrival of the *croon*, or by any other private vessels, be permitted to transport from the Fortress Casimir, all the artillery belonging to the crown, either large or small guns, as they were designated by the commissioner, 4 iron guns of 14 lb. balls, and 5 pieces, viz. 4 small and 1 large one. Swedes may remove all their guns, &c.

"2. Twelve men, with their full arms and accoutrements, shall be permitted to march from the fort with the commissioner, as his life-guard, the remainder only with their side-arms, provided that the guns and muskets belonging to the crown shall remain at its disposal, or that of the commissioner, to transport them from the fortress whenever the commander may have an opportunity of bringing it to its execution. Twelve men may march with the commissioner from the fort, as a life-guard; the rest with side-arms.

"3. To the commander shall be delivered in safety, all his personal property and furniture, which he may either carry with him, or send for, when it shall please him, and so too, all the goods of all the other officers, provided that the commander remains obliged to surrender, this day, the Fortress Casimir to the director-general, with all its guns, ammunition, Private effects of officers given up to them, provided he surrenders the fort and the company property.

¹ Albany Records, vol. xiii. p. 348.

1655. and implements of war, and other effects belonging to the general privileged West India Company. Done, concluded, and signed by the combatants, on the 11th September, A. D. 1655, in the man-of-war the Weigh-scales, [or Balance,] at anchor in the neighbourhood of Fort Casimir.

“P. STUYVESANT, SWEN SCHUTE.”¹

September. The following offers were made, after the surrender of Fort Casimir, &c. by Stuyvesant, to the Swedes who chose to remain:

“All persons inclined voluntarily to take the oath of allegiance to honourable Peter Stuyvesant, director-general, &c., and to be faithful to their oath, are permitted to remain as freemen on South River, and to provide there for their maintenance, as good and free inhabitants; whereas they who might have any conscientious scruples forbearing them to take this oath, are permitted to leave this province of New Netherland, having previously disposed of their goods to their best advantage, and shall, when willing to leave this country, be accommodated with a free passage.”

Form of the
oath sub-
scribed by 20
Swedes. “*Oath.*—I, undersigned, promise and swear, in presence of the omniscient and almighty God, that I will be true and faithful to their high and mighty lords and patrons of this New Netherland province, with the director-general and council already appointed, or who may be appointed in future, and will remain faithful, without any act of hostility, sedition, or intention, either by word or deed, against their high sovereignty, but that I will conduct myself as an obedient and faithful subject, as long as I continue to reside on this South River in New Netherland. So help me God Almighty. Signed,

| | |
|--------------------------|--------------------------------|
| “JAN HOFFEL, | HARMEN JANS, |
| “CLAES PETERSON, | JOHAN ANIES, |
| “CONSTANTINUS GRUMBERGH, | OLOFF TRANSEN, |
| “ABRAHAM JANSEN, | LAMBERT MICHIELSON, |
| “BARENT JANSEN, | SIMON HIDDEN, |
| “MARTIN MARTENS, | JAN ECHOST, |
| “SAMUEL PETERSE, | THOMAS BRUYN, |
| “WILLIAM MORRIS, | ANDRESS JANSEN, |
| “CLAES TOMASSEN, | JAN JANSEN, |
| “MOLENS ANDRIESSEN, | MATHEYS ELKISSE.” ² |

In all twenty, of whom only seven wrote their names.

¹ Albany Records, vol. xiii. pp. 349, 350. Holl. Doc. vol. viii. pp. 108, 109.

² Albany Records, vol. xiii. p. 361.

The surrender of Fort Trinity being thus readily accomplished, and with so little noise that the event was unknown at Christina till next day, Stuyvesant directed his attention next to the conquest of that fort also, which being immediately in command of Rysingh himself, did not submit so readily, but the opposition was made rather through negotiations than fighting. Stuyvesant having been directed, in case of success, to restore it to the Swedes, may have felt less disposed to exert his power than to accomplish his object by milder means. The strength of Christina, too, had been reduced by sending off men to Trinity, who were captured. One great gun was, notwithstanding, fired at the Dutch, which drove them into the woods. After, however, doing all they could in the way of defence and negotiation, the fort was surrendered to the Dutch on the 25th, after a siege of fourteen days, when articles of capitulation were signed, as follows :

“Capitulation between the valiant and honourable John Rysingh, governor in New Sweden, and the valiant and honourable Peter Stuyvesant, director-general in New Netherland, from the other side.

Sept. 25.

Articles of capitulation of Fort Christina.

“1. All guns, ammunition, implements, victuals, and other effects belonging to the crown of Sweden and South Company, which are now in the fort or its vicinity, shall remain in full property to the crown and company, while it shall depend upon the governor either to take all these with him, or deliver them to the director-general, P. Stuyvesant, on condition that all, when demanded, shall be returned without any delay whatever.

Crown property to belong to the Swedes.

“2. Governor J. Rysingh, with all field-officers and subaltern officers, ministers and soldiers, shall march out of the fort with beating of drums, fifes, and flying colours, firing matches, balls in their mouths, with their hand and side-arms, first, to Timmer-isle, (Building or Timber Island,) where they all, at their arrival from the fort, shall be lodged in the houses, with security, till the departure of the director-general with the man-of-war, the Weigh-scales, which shall convey, at longest within fourteen days, the governor with his people and goods, so far as the Sand Point, about five miles from Manhattans, in full security. Meanwhile, it is permitted to Governor Rysingh, and his factor, Elswyck, with four or five servants, to remain so long in their houses in the fort, till they may arrange their private affairs.

Governor and officers to march out with drums, &c. Go to Timmer isle, till the “Balance” is ready to take them to Manhattan. Rysingh and Elswyck may remain in fort to arrange their private affairs.

1655. "3. All papers, letters, documents, and acts belonging to the crown of Sweden, the South Company, or private individuals, discovered and obtained in Fort Christina, shall be delivered, unopened and unsearched, to the late governor, to be distributed at his discretion.
- All persons permitted to depart, if they choose. "4. No person belonging to the crown of Sweden, or the South Company, officers, soldiers, ministers, or freemen, shall be compelled to stay, but permitted to accompany the governor wherever they may deem proper.
- Personal property given up. "5. All the high and low ministers of Sweden, or of South Company, ministers, officers, soldiers, and freemen, shall be maintained in the undisturbed possession of their individual property.
- Persons not ready to depart allowed time to settle their affairs. "6. If any servant or freeman desires to leave this country, and now could not be ready to depart with the governor and his people, all such shall be permitted to dispose of their real and personal property, during the period of one year and six weeks, provided they take the oath of loyalty for the time they intend to remain in this river.
- Persons wishing to stay, after being admonished by Rysingh, may do so, and enjoy their religion and ministers. "7. If there were any Swedes or Finns who do not wish to depart, then it shall remain free to Governor Rysingh to admonish them, and if they, upon such admonition, are inclined to follow him, then all such shall not be prevented by the director-general from doing so, while they who voluntarily are resolved to remain, and desire to search for their sustenance in this country, shall enjoy the liberty of the Augsburg Confession, with a minister to instruct them in this doctrine.
- Rysingh and officers and men shall be provided with a vessel to take them to Sweden. "8. The governor, John Rysingh, the factor, Elswyck, with all the other high and low officers, soldiers, and freemen, who now wish to depart with their personal property, shall obtain from the director-general a convenient vessel, which at Sand Point shall take them in, and transport them further to the Texel, and from there further with a *Boeijer* galliot or other good ship, to Gottenburg, free from expense, provided that such ship or galliot shall not be molested or detained at Gottenburg, for which the aforesaid governor remains responsible.
- Not to be subject to arrest for debt. "9. If Governor Rysingh, Factor Elswyck, or any ministers of the aforesaid crown or South Company have contracted any debts, they shall not be subject to arrest within the government of the aforesaid general.

"10. Governor Rysingh is permitted to inquire, unmo-
lested, how the late commander, Schute, officers, and other
soldiers, have conducted themselves in the surrender of the
fortress at Sand Point. 1655.

"11. Provided the governor engages to march out of the
Fortress Christina on this day, being the 25th of this month,
September, with all his men, and to surrender it to the
director-general. Done and signed on 25th September afore-
said, A. D. 1655, on the paved place between Fort Christina
and encampment of the director-general. Fort to be
given up to-
day.

"PETER STUYVESANT.

"JOHN RYSINGH, Director of the country, New Sweden."

"It is further agreed by capitulation, that the skipper with
whom the governor, Rysingh, and factor, Elswyck, shall de-
part, shall be expressly commanded to land Rysingh and
Elswyck, either in England or France, and that the director-
general shall advance in cash to said John Rysingh, or by a
bill of exchange, the sum of £300 Flanders, which sum the
aforesaid Governor John Rysingh accepts to pay in cash, or
by a bill of exchange, at Amsterdam, to the director-general
or his order, within six months after reception of said money,
giving the meanwhile, in security for this money, an equiva-
lent out of effects belonging to the crown or South Company,
to director-general, upon a receipt to be left here, with a copy
for the party, both signed by the contracting parties on 25th
September, 1655, on the paved place between Fort Christina
and the encampment of Director Peter Stuyvesant. Special
agreement to
land J. Ry-
singh and
Elswyck in
England or
France, and
advance him
money, Ry-
singh prom-
ising to
pay in Am-
sterdam,
leaving his
effects as se-
curity.

"PETER STUYVESANT,

"JOHN RYSINGH."¹

In a postscript of the 24th, Stuyvesant says he sends the
directors the "capitulations concluded with Fortress Christina,
to be signed to-morrow," referring to the messenger for par-
ticulars; hopes soon to be with them; recommends his affec-
tionate wife, children and subjects to God, and anticipates a
"splendid" meeting, &c.² Capitulation
of Fort
Christina
noticed.

We have the Swedish account of the whole affair at both
forts, in the following report of Governor Rysingh himself,
in which he censures the valiant Swen Schute for so readily
delivering up Fort Trinity. The Dutch account of the latter
affair we do not find. There is a difference of dates between
the two accounts respecting Fort Casimir, otherwise, as far
Swedish ac-
count of the
capture of
Forts Chris-
tina and
Casimir.

¹ Albany Records, vol. xiii. pp. 355—359.

² Ibid. p. 351.

1655. as they relate to the same matters, they agree tolerably well.

Governor
Rysingh's
official re-
port.

“Report concerning the hostile and treacherous invasion of the Swedish colony in New Sweden, by the Dutch, under the command of P. Stuyvesant, governor of the New Netherlands, wherefore the faithful subjects of his royal majesty of Sweden, who have endured such violence, do most humbly betake themselves to his royal majesty's most gracious shelter and protection, to the intent that they may be sustained and indemnified for the wrongs and injuries which they have suffered.

“In the year 1655, on the 30th day of August, the Dutch from the North River, where Manhattan or New Amsterdam is situated, with seven ships or vessels, under command of the said P. Stuyvesant, having on board 600 or 700 men, arrived in the South River, where New Sweden lieth, and anchored before the fortress of Elsingborg, which was then dismantled and ruinous; the next day they passed Fort Casimir, and bringing to a little above, they landed, and immediately summoned Swen Schute, who was in command, to surrender the fort, enforcing their summons both with menaces and persuasion, and proceeded to throw up some works. Some time before this, having learned from the savages that the Dutch were about to assail us, we had caused Fort Casimir to be supplied with men and munitions to the best of our ability, and had drawn up a resolution in writing to defend the fort in case the Dutch should attack it, ordering Captain Schute, the commandant, to send on board their ships, when they approached, and demand of them whether they came as friends, and in any case to warn them not to run by the fort, upon pain of being fired upon, (which in such case they could not reckon an act of hostility.) But if they were minded to treat with us as friends, concerning our territory and boundaries, he should compliment them with a Swedish national salute, and assure them that we were well disposed to a fast friendship. Nevertheless, Captain Swen Schute not only suffered the Dutch ships to pass the fort without remonstrance or firing a gun, whereby they gained the command both of the fort and of the whole river, and cut off the communication between the forts, by posting troops between them, as high up as Christina Creek, but surrendered the fort to Stuyvesant by a dishonourable capitulation, in which he forgot to

stipulate a place to which he, with his people and effects, might retire; he also subscribed the capitulation, not in the fort or in any indifferent place, but on board a Dutch ship. So Stuyvesant detained the garrison, and transported most of them to Manhattans, whereby we were greatly reduced in strength and endangered, and not even knowing as yet that Fort Casimir had so suddenly fallen into the enemy's hands, we had sent thither, in the mean time, nine or ten of our best men to strengthen the garrison. This detachment, when they had crossed Christina Creek, betimes in the morning, found the Dutch posted there, who immediately attacked them, fifty or sixty men strong, and summoned them to surrender, but they put themselves in posture of defence, and after a skirmish with the Dutch, were all taken prisoners, except two, who retreated to the boat, and were several times fired upon by the enemy, but without being slain or wounded. Upon this we fired upon the Dutch from the sconce, with a great gun, whereupon they retired into the woods, and afterwards treated harshly and cruelly such of our people as fell into their hands.

1655.

Governor
Rysingh's
official re-
port, con-
tinued.

"The same day, the factor Elswyck was sent down from Fort Christina to Stuyvesant, to demand an explanation of his conduct, and to dissuade him from further hostilities, as we could not be persuaded that he seriously purposed to disturb us in the lawful dominions of his royal majesty and our principals. But as Stuyvesant had so cheaply obtained possession of Fort Casimir, whither we had sent our best soldiers, thus depriving ourselves in a great measure both of men and munitions, he would give Elswyck no satisfaction, but claimed the whole river and all our territory, and had well-nigh detained Elswyck as a spy. When we learned this, we collected all the people we could for the defence of Fort Christina, and laboured with all our might, by night and by day, in strengthening the ramparts, and filling gabions. The next day, being September 2, the Dutch showed themselves in considerable strength on the opposite bank of Christina Creek, but attempted no hostile operations. On the morning of the 3d, they hoisted their flag on our shallop, which lay drawn up on the beach, and appeared to be about establishing themselves in a neighbouring house. We therefore sent over Lieutenant Sven Höök, with a drummer, to demand what they purposed, for what cause they posted themselves there, and for what we

1655.

Governor
Rysingh's
official re-
port, con-
tinued.

should hold them. When he had nearly crossed the creek, he asked them from the boat, whether he might freely go to them? They answered yes; and whether, after discharging his commission, he might freely return? to which also they answered, yes, as we could all plainly hear in Fort Christina, and can bear witness accordingly. So the drummer rowed the boat to the shore, without beat of drum, because the lieutenant already had their parol, and knowing no cause of hostility, he supposed this ceremony to be unnecessary. They then both went on shore, and an officer met them, and conducted them some distance to a house, where the enemy had already taken up a position. The Dutch then sent our lieutenant down to Stuyvesant, pretending that he was a spy, and Stuyvesant arrested him and threw him into the ship's hold, but Captain Fridr. Könish detained the drummer and his drum in his own custody, and thus they treated our messengers, contrary to the laws and customs of all civilized nations.

“By the 4th, they had planted gabions about the house on the opposite bank of Christina Creek, and afterwards threw up a battery under cover of them, and intrenched themselves there. Some of our people interpreted all this as indicating the purpose of the Dutch to be to claim and hold all our territory up to the creek, and to construct a fort there, not yet believing that they would, in contempt of public peace, and without any known cause, commence hostilities against us, until they had set up some claim, or promulgated some protest against us, whereas, up to this time we had received from them neither message nor letter assigning any manner of cause or complaint.

“On the 5th, the Dutch ships went up to Third Hook, (*tridie Hoeck*,) where they landed their men, who then passed over to Timber Island, and thence over the great falls, (*stoore fallet*,) and so invested Fort Christina on all sides. They brought their ships into the mouth of the creek, and planted their great guns on the western side of the fort, and when we burnt a little powder in a couple of pieces to scale them, they fired several shots over our heads from Timber Island, where they had taken post in a house, and announced to us that they had taken up a position on the west side, by regular volleys. We continued to prepare ourselves to make the best defence which our strength would allow, if we should be

1655.

attacked, for we were not yet satisfied what the Dutch intended; but in a short time an Indian came in to us with a letter from Stuyvesant, in which he arrogantly claimed the whole river, and required me and all the Swedes either to evacuate the country, or to remain there under Dutch protection, threatening with the consequences in case of refusal. Hereto I answered briefly, by letter, that I would reply to this extraordinary demand by special messengers, and sent him my answer by the same Indian. We then held a general council of war, as to what should be done, if the Dutch assaulted us by storm or battery, and it was determined that we should, in any case, maintain the defensive, and make the best resistance we could, but should not commence or provoke hostilities, on account of our weakness and want of supplies; that we should wait until they fired upon us, or began to storm the works, and then defend ourselves as long as we could, and leave the consequences to be redressed by our gracious superiors.

Governor
Rysingh's
official re-
port, con-
tinued.

“The Dutch now began to encroach upon us more and more every day. They killed our cattle, goats, swine, and poultry, broke open houses, pillaged the people without the scone of their property, and higher up the river they plundered many, and stripped them to the skin. At New Gottenburg they robbed Mr. Pappegoya's wife of all she had, with many others, who had collected their property together there. They continued to advance their approaches to Fort Christina, (which was a small and feeble work, and lay upon low ground, and could be commanded from the surrounding heights,) and threw up two batteries besides those on the opposite bank and on Timber Island, and hoisted their flags on all of them, as well as on our ship in Fish Creek, all which hostile acts, injuries, and insults we were, to our great mortification, compelled to witness and suffer, being unable to resist them, by reason of our want of men and of powder, whereof our supply scarcely sufficed for a single round for our guns. Notwithstanding all this, we still trusted that they would at length be persuaded to hear reason, and accordingly, on the 7th, we sent messengers down to Stuyvesant at Fort Casimir, with a written commission, whereby we sought to dissuade him from further hostilities, protesting against his invasion and disturbance of our proper territory without cause assigned, or declaration denying, as far as they could, our right

1655.

Governor
Rysingh's
official re-
port, con-
tinued.

of possession in the river; also suggesting to him the jealousies between our respective sovereigns, and other consequences of great moment which would ensue; that we were determined to defend our rights to the utmost of our strength, and that he must answer for all consequences, and finally required him to cease hostilities, and to retire with his people from Fort Christina. But all this availed nothing with him, and on the contrary he persisted in his claim to the whole river, and would listen to no terms of accommodation, declaring that such were his orders, and that those who had given them might answer for the consequences. He then wrote me a letter on the 9th, in which he anticipates all terms of accommodation, will not allow that we have any rights to the said river, seeks to refute our arguments, and styles our possession a usurpation, and so interprets every point to his own advantage.

“As we still determined to maintain our own defence, and abide the result, the enemy continued to carry on their approaches day and night, and with our little force of about thirty men, we could make no sorties, or prevent him from gaining positions from which he could command the sconce so completely that there was not a spot on the ramparts where a man could stand in security, and as he now daily advanced his works, and summoned us to capitulate, with threats of giving no quarter, our men proposed to us to go out and try to bring Stuyvesant to reason, both on account of our want of supplies, and the advanced condition of the enemy's works, and especially because our provisions were scanty, and would soon be exhausted. Besides, our few and hastily collected people were getting worn out, partly sick, and partly ill disposed, and some had deserted. From these considerations, and the fear of a mutiny, it was agreed, that I and Elswyck should go out the next day and hold a parley with Stuyvesant, and endeavour to restrain him from forcible measures, and to bring him to reason. We accordingly went out for this purpose on the 13th, and Stuyvesant and Nicatius de Sille met us between the sconce and their most advanced work. We solemnly protested against his procedure and his hostile conduct, and replied verbally to his last-mentioned letter, confirmed our title with the best arguments we could, and held a long discussion with them; but all this produced no impression upon them, and they maintained their first

ground, and insisted upon the surrender of Fort Christina and the whole river, to which we replied that we would defend ourselves, and resist them to the last, clearly showing them that they were unjustly invading our possessions, and declaring that we would appeal to our government to redress our wrongs, and protect our rights thus forcibly trenched upon, and so we went back to the sconce, exhorted our men to a manly defence, and encouraged them as well as we were able.

1655.
Governor
Rysingh's
official re-
port, con-
tinued.

“As soon as the Dutch had nearly completed their works, they brought the guns of all their batteries to bear upon us, and on the 14th instant formally summoned Fort Christina, with harsh menaces, by a drummer and a messenger, to capitulate within twenty-four hours. We then assembled a general council of the whole garrison, and it was found to be their unanimous opinion, that inasmuch as we had not sufficient strength for our defence, (the Dutch having completed their works against the sconce, and neither the sconce nor the garrison being able to stand an assault,) and were in want both of powder and other munitions, and had no hope of relief, therefore they were all of opinion, that we should make the best terms we could obtain with the Dutch; all which may be seen by the documents. So the next day we announced to the enemy, that we would consider their summons within the time prescribed, and being now reduced, by our want of supplies and weak condition, to yield to the violence practised upon us, we concluded a capitulation with Stuyvesant, as may be found by the original among the documents, and surrendered Fort Christina to him on the 15th instant, stipulating that the guns and all the effects belonging to the crown or the company, should be restored by the Dutch, according to the inventory, upon demand, and reserving the restitution of our sovereign's rights, in time and manner fitting; providing also, that the Dutch should freely transport to Sweden, both us, and as many Swedes as chose to accompany us, for we held it better that the people should be restored to their fatherland's service, than to leave them there in misery, without the necessaries of life, in which case they would have entered the service of the Dutch or English, and never again advantaged their country.”¹

After the success attending the capture of the two forts, it is said, by Campanius, “the Dutch proceeded to destroy New

¹ N. Y. Hist. Soc. Coll. N. S. vol. i. p. 443—448.

1655. Gottenburg, laying waste all the houses and plantations without the fort, killing the cattle and plundering the inhabitants of every thing they could lay their hands upon."¹ No other document has fallen into our hands to confirm this statement; although the Swedish power on the river being subdued, this fort of consequence came into possession of the Dutch.

Gottenberg
falls into the
hands of the
Dutch.

Acrelius says, "the Swedes suffered great hardships from the Dutch. The flower of their troops were picked out and sent to New Amsterdam; though under pretext of their free choice, the men were forcibly carried aboard the ships. The women were ill treated in their houses, the goods pillaged, and the cattle killed. Those who refused allegiance were watched as suspicious. That this ill usage took place, appears from the testimony given by Rysingh to those who had suffered, several of which were preserved in the original. The Dutch have in vain endeavoured to defend their aggressions by allegations that the Swedish establishment was by a private company, because the whole was undertaken under the authority and protection of the government."²

Swedes hard-
ly used by
the Dutch.

One of these certificates given by Rysingh, is copied on the records of the Swedes' Church in this city; it is "a passport given by Rysingh to Nicholas Mattson. "I do by these presents certify, that the bearer has, during my whole time, behaved as an honest faithful servant of the crown. He was brought on board the enemy's vessel, and endured, for three weeks, with the other prisoners, contumelious insults. In the same time his house was plundered, and his wife stripped of her very garments."³

Indians
attack the
fort.

Lambrechten says, "it is a fact, that in the fall of this year, Fort Casimir was assaulted by more than 500 Indians, instigated, as it is presumed, by the Swedes."⁴

Tender of
Fort Christina
to Gov.
Rysingh.

Agreeably to the instructions given to the director-general, a tender of Fort Christina was made to Rysingh, as is related in a Dutch document already referred to, which says, "although the above-mentioned acts (alluding to the surrender) might have been supported and justified according to the laws of nations, and to several views, nevertheless did the company, to show and declare to the world that they did not wish nor seek any hostilities with anybody, but only maintain

¹ Campanius, p. 84. Holl. Doc. vol. viii. p. 32—60. ² Acrel. p. 417.

³ Records of Wicacoa Church.

⁴ Lambrecht, p. 109. He gives as authority, Holl. Merc. 1658, p. 43.

and defend their own rights, they made, on the same day (of the surrender,) a written offer to put Fort Christina again into the hands of the said John Rysingh, on honourable and reasonable terms, to be sworn to and faithfully kept on the part of him and his officers, as authorized by her royal majesty of Sweden, on one side, and on the part of the director-general and his council on the other, as authorized by the company; but the offer was declined by Rysingh, under pretence that this affair was not complete, and he would rather hold himself to the capitulation made." 1655.

Rysingh, the late governor, arrived at Manhattans in a "frantic mood," charging Governor Stuyvesant with a breach of some of the articles of the treaty, loss of public property, and not suitably providing for his accommodation, all which are replied to in the following communication to Rysingh from Stuyvesant:

Rysingh arrives at Manhattan. His conduct there.

"Petrus Stuyvesant, in behalf of the New Netherland, &c., does insinuate to you, John Rysingh, as he is pleased to qualify himself, formerly director of his royal majesty of Sweden and the company of the South in New Sweden: October 28.

"1. That your honour placed, besides the houses in the Fortress Christina, some effects and materials which have not been delivered to us, but may be left in Fortress Christina, whereof we now inform you, protesting that we do not consider ourselves holden to the restitution of any other effects or materials than those we received, and for which you have our receipt; whereas, besides that we, (in regard of the old confederation and union between their High Mightinesses and crown of Sweden,) did offer you the Fortress Christina, without doing it any hurt, or forcing it by our artillery, and with same intention made you an offer of the keys before your departure, yet you left it unprotected and abandoned it, and therefore all losses and damages suffered by the interested are to be answered by you. We shall, however, as far as it yet remains in our power, endeavour to protect it, by our delegates and soldiers on South River, till the crown of Sweden and their High Mightinesses shall have compromised this business, and informed us both of the result.

Letter from Stuyvesant to Rysingh, complaining of his conduct, and referring to his offers to restore Fort Christina.

"2. We insinuate that when you, last Sunday, stepped here on shore in a frantic mood, you injured us in our quality, by uncouth language, and many threats that you would persecute us in every corner, would accuse us of an infraction

1655.

Letter con-
tinued.
Rysingh
having left
the ship,
Stuyvesant
is absolved
from paying
his expenses.

of a solemn capitulation, because we declined to accommodate you, with your suite, to your satisfaction, and did not offer to defray your expenses, whereas, you cannot prove, by the letter of the capitulation, that we were holden in any manner to defray your expenses, or those of your suite, but only a free passage to some parts of Europe, for which end you were embarked, with your dependants, in a capital ship, "the Balance," and provided by the captain with an honourable entertainment, till the merchantmen ready to sail could admit you, with your accoutrements and baggage; so that when you left the ship voluntarily, with your people, we deem not ourselves further obliged by the capitulation to defray any of your further expenses, except only in the way of courtesy, and from respect to your high station, on which last account only, we presented you more than once, and offered by respectable individuals, to accommodate and entertain you in my own house, with which, nevertheless, you seemed not satisfied. We succeeded in persuading you, by others, to reside in one of the principal houses in this city, when, however, indulging yourself in unmannerly threats that you would return to destroy the place, with other indecent language and actions, you scared so much the honest inhabitants of the house, that for peace' sake they left their own lodgings for a while, by which conduct, and your usual threatenings, before and after that day, in such an unmannerly way against ourselves, this province and city particularly, just reasons were given us, after we produced many proofs from respectable and reputable persons, to compel you to defend yourself and conduct, but so far is it, that we made use of our right, that we set it entirely aside, by our respect for the crown, and the high relation in which you stand to it. While we only went so far as, by our own station, we were in duty bound to do, because the rumour of your threatenings had struck the ears of the skippers and passengers with whom, agreeably to the capitulation, you were to embark, so that their fears were raised, and they were not without apprehensions if prudence would permit them to take you, with your suite, and such a large number of your dependents, in their ships, except they obtained previously a good security for their ships and cargoes. They are at least unwilling, apprehending some mischief, to land you in England or France, in conformity to the secret capitulation, concluded without

knowledge of your people, except they met, as by accident, in the Channel, or near the heads, some French or English vessel, of which we deemed it necessary to give you a timely information, by our secretary and witnesses, so that you may have no reason to blame us, but your unmeasured threatenings, if our orders concerning our secret capitulation were not executed. Done in Fort Amsterdam, day as above. 1655.

“PETER STUYVESANT.”

Then follows a certificate of the secretary, Van Ruyven, “that he read the above, word for word, to Rysingh, residing at the house of Lieutenant Daniel Litschoe, in the city, delivered his protest, and left him a copy of it, to which he answered, ‘It is well, I shall answer it,’ in presence of Johan de Decker, commissary of Fort Orange, and Dirck Van Scheldyne, 28th October.”¹

The following order was passed by the director-general and council :

“The skippers and freighters of the ship *Bear* remonstrate that their ships are so fully laden that it was not in their power to admit the Swedish passengers, with their goods, as was agreed in the capitulation, as the vessels are already much disqualified to go to sea, and would become far more so, while, nevertheless, the country’s service requires that the Swedes, agreeably to the capitulation, should be accommodated with a passage to Europe. The attorney-general is commanded to visit the two above-mentioned vessels, and ascertain which of them can admit the Swedish baggage, and if all is filled up, then to unload so many goods and merchandise of private persons, and carry them to the ship *Water-hoost*, till, to the satisfaction of the skippers, sufficient room is left for the Swedish baggage, more so as the service of the country, in conformity with the capitulation, requires such an arrangement. By order of director-general and council. C. VAN RUYVEN, Secretary.”²

Arrangements for Swedes’ passage to Sweden.

The following order for the debarkation of Rysingh, was sent to the “*Bear*” and “*Sea-cow* :”

“The skipper and merchant of the ship *Bear*, Cornelius Willimsen Beer, and Jan Jansen Behavur, are commanded to send on shore, either in England or France, as may suit them best, the honourable John Rysingh and Factor Elswyck, agreeably to the capitulation, and the remaining Swedes at

Order to skipper to land John Rysingh.

¹ Albany Records, vol. x. p. 135—137.

² Ibid. p. 135.

1655. the Helder, and to recommend to the commissary of the West India Company, Peter Claesen Croon, with their goods and merchandise, or transfer them there on a galliot, to be transported to Gottenberg free of all expenses, in conformity to capitulation. Done at Fort Amsterdam, &c."

October 28.

Order for
money to be
paid to John
Rysingh.

Then follow documents relating to the promised advance.

"I, undersigned, certify and declare, that I have requested the honourable Cornelius Jacobsen Stanwyck to pay, in conformity to capitulation, the sum of 800 gyllens, or bill of exchange, for payment of which, with the interest, and all its eventual losses, I, undersigned, besides all the effects of aforesaid Rysingh in my possession, submit all my own property, real and personal, to the control of any court of justice, wherefore I signed this with my own hand.

"P. STUYVESANT."

Rysingh's
receipt.

Then follows a receipt for the above bill, of John Rysingh to director-general, "agreeably to our capitulation, for two bills of exchange, one for 1000 gyllens on London, the other for 800 gyllens, together £300 Flanders, which being paid and satisfied, I promise to pay again the above sum within six months after received; these in conformity with our capitulation to aforesaid P. Stuyvesant, or order * * * for which I make a deposit, agreeably to our capitulation, of all the effects of the crown of Sweden and the South Company, now in possession of P. Stuyvesant, qualifying and authorizing him to dispose and sell so much of the effects of the crown of Sweden and South Company, as aforesaid sum, and damages and interest will amount to, in good Holland money.

"Signed, JOHN RYSINGH,

"HENDRICK VAN ELSWYCK.

"Witness, F. D. DECKER."¹

The following is the reply of Governor Rysingh to the director-general, soon after which he probably left the country:

October 29.

Rysingh's
answer to
the letter of
the director-
general.

"Royal majesty of Sweden. His obedient servant and appointed director of New Sweden, John Rysingh's answer to you, Peter Stuyvesant, director-general of New Netherland:

"On your honour's open writing, which was delivered me yesterday, at my lodgings, by three persons, I cannot but answer in few words, upon that which, in regard to those inventories, was agreed between your honour and me. It is

¹ Albany Records, vol. x. p. 136—146.

evident, that by its contents, it is no more than just that your honour remains responsible for every article which remained in and out of Fort Christina. These materials and implements of war, ammunition, &c., were delivered to Johan Davidson, the master of your artillery, and your commissary. If the persons appointed by your honour, and to whom the keys of these were delivered, had been dissatisfied with them, then they ought not to have accepted, or at least not kept these keys, much less should they have carried off these articles without the presence of some of my people. Your men took away, at Tennakong, in an uncouth manner, all the cordage and sails of a new vessel, and then they went to the magazine, without having the keys demanded, entered it alone, broke the boards of the church, and so took away the cordage and sails.

1655.

Rysingh's
answer,
continued.

“That ancient confederation and union between his royal majesty of Sweden and the high and mighty lords the States-General of New Netherland, which your honour is pleased to mention, has been truly very little respected by your honour, by your invasion, besieging, and conquering, finally, of the territory and forts of my most gracious lord and king, in this part of the world. What regards myself, I can never believe that the aforesaid High Mightinesses have instructed your honour with similar orders, more so, as your men acted indeed as if they had been on the lands of their inveterate enemy, as for one example, in plundering Tennakong, Upland, Finlandt, Printzdrorp, and several other places, which are indeed incontestable witnesses, not to say a word of what was done in Fort Christina, where the women were violently torn from their houses, whole buildings destroyed, and they dragged from them, yea, the oxen, cows, and swine, and other creatures, were butchered day after day; even the horses were not spared, but wantonly shot, the plantations destroyed, and the whole country left so desolate, that scarce any means are remaining for the subsistence of the inhabitants. That I could not accept your honour's offer to reside again in Fort Christina, I think that I fully explained in my answer of 26th September last; that I was only responsible to his royal majesty of Sweden, and the honourable South Company. That your honour mentions that your troops had marched already, before my departure, out of the Fortress Christina; that he delivered its keys to me, while I, in an

1655.

Rysingh's
answer,
continued.

unbecoming manner, left that place without defence or provisions, which occasioned further damages, and that I for all these was responsible; to this I answer, not I, but your honour, left the fort bereft of every thing; as you had carried off, by your men, every thing which was discovered, yea, even mine own private property, with that of my family, although the greatest part of it had been conveyed, beforehand, to the ship, when your men, drawing out about evening, on 28th September, (O. S.) invaded us, when we, with a handful of men, without any other defence, were left as sheep doomed to the knife, to receive the wild barbarians. It cannot, in truth, be proved, that any keys of the forts have been returned to me by your men, and much less that I did accept these, and I am much astonished, indeed, that your honour can write such things to me. But it is happy indeed that you are not my judge, wherefore I neither care much about what your honour said, that I should remain responsible for it, and for all the damages which might have been occasioned by the defenceless state of the fort. Is it not risible indeed, that another person should become answerable for what has been caused by you alone? I recommend this case to God, and to my lord and king, who will avenge the violence committed against his possessions and subjects.

"I deem it not requisite to waste many words in answering the second point, neither ought that which there is brought against me as a grief, be considered otherwise as a blasphemy; I conversed before with many persons of high and low station, and knew, God be praised, very well to pay to each of them that regard which was due to them, neither am I inclined to act here against it, but how this has been reciprocated towards me, shall be shown at the proper time and place.

"The separate treaty, which your honour calls a secret capitulation, and which, as your honour stated, was concluded between him and me, without the knowledge of my people, is not quite so, as it was with their knowledge, and in their presence, upon the paved place, signed by your honour, which your honour is holden and obliged to execute, if he does not wish to be, in future, accused of having violated his word. What has been said of my violent threatenings is entirely unknown to me; but if the sayings of a party are once admitted, then many might be believed against any honest man,

of which not one can be proved. I endeavoured, with justice on my side, as it was stipulated distinctly by the capitulation, not to leave my countrymen here behind, who came hither with me, and tried to prevent their being hired to remain here, that all should embark with me in one ship; but I soon afterwards discovered that not only the largest part of them had been persuaded, by great promises, to stay here, while the few persons who could not yet be shaken were divided and distributed, against the capitulation, upon different ships, here and there, neither can they recover the small bundles of goods which they had saved.

1655.

Rysingh's
letter,
continued.

"I renew, therefore, my solicitation to your honour, that all my men may, without any further molestation, embark with me in the same ship, and further, that every article promised me in the general and separate treaty, both sanctioned by your honour's signature, may be kept inviolate, while I pledge myself to your honour at this time, that neither by myself, neither of any of my people, any offence or outrage shall be committed upon any individual on the ship, during the voyage, either by words or deeds, and otherwise I protest, as I now do, *in optima forma*, against your honour, against every transaction against my most gracious lord and king, and against his majesty's subjects, by the invasion, siege, and conquest of the whole South River of New Sweden. It may also appear, from the several parcels of goods, if it is not placed on the inventory as ship materials, cattle, and various other separate articles. Done in Amsterdam, in New Netherland, 29th October, 1655. JOHN RYSINGH."¹

Governor Rysingh and his company take their departure for Europe in the "Spotted Cow" and "Bear," but were compelled, by weather, to put into England, where he had an opportunity of communicating to the Swedish minister an account of the late occurrences on the Delaware, and received the £300, according to treaty.

Rysingh
takes his de-
parture from
the country.

Thus terminates the short career of Governor Rysingh, and with him the Swedish power and influence on the Delaware, the consequence of his rash and injudicious attack on the fort, and disobedience to the instructions of his government. The Dutch have, therefore, again, under lieutenant-governors, controlled, appointed, and commissioned by the director-general and council, the entire command of the river,

¹ Albany Records, vol. xiii. pp. 363—367.

1655. for a time. During their joint occupation of the river for about seventeen years, such was the state of things arising from jealousy, and a mutual thirst for power, that the growth and settlement of the country made but little progress, though probably the Swedes had the advantage; yet their increase was small compared with what, under other circumstances, might reasonably have been expected. It is true, they were not well sustained by the mother country, and to this may probably be attributed, in a great measure, their want of success.

It is said that "two out of three Swedish clergymen were expelled the country."¹ The one left was a man of "godless and scandalous life." Were there so many here?—their names are not mentioned.

Dereck Smidt
appointed
commissary
pro tem.

On Stuyvesant's departure for Manhattan, he appointed Captain Dereck Smidt, commissary or interim commandant, for a short time.²

Nov. 29.
Jews ask to
trade on
South River.
Declined ge-
nerally, but
permitted
for the pre-
sent.

A petition is presented to director-general by Abraham Lucena, Salvador D'Andrade, and Jacob Cohen, "in their own name, and on behalf of the Jewish nation residing at New Amsterdam, showing that the suppliants, on February 13, 1655, were permitted by the director of the West India Company, &c., to travel, reside, and trade here as other inhabitants, and to enjoy all the privileges," &c., "soliciting, therefore, most reverently, that your honour will not obstruct them, but permit that they, agreeably to the obtained privilege in Holland, may travel and trade on the South River, &c., with the same liberty as the other inhabitants." Each member of the council gave his opinion on the subject; Stuyvesant and Montagne said, "it cannot be granted, for weighty reasons;" De Sille thought, as "they had embarked some goods for South River, it might not be becoming to grant a permit, but wait orders from the directors;" Tien-hooven "thought it would be prejudicial to the [trade?] and population of this country, and therefore, at present, during winter, ought to be rejected, and carefully and fairly represented to the directors, and that a young man, for the present, of that nation, may depart for the South River with a few

¹ O'Call. vol. ii. pp. 290, 318, and note, which says, "that one freeman was appointed to read, every Sunday, something from the Apostles; that the Lutheran minister who was there was sent to Sweden; that by the capitulation, one Lutheran minister should be retained, which was granted."

² Acrelius, p. 418.

cargoes, without being drawn into precedent." They therefore came to the decision, that "for weighty reasons, is the request expressed in general terms declined, but as we are informed the suppliants have embarked already some goods thither, so are they now permitted to send two persons towards South River, to trade with it, and when they shall have disposed of their goods, then to return hither."¹ 1655.

The director-general and council, "wanting, for the pro- Nov. 29.
motion of the interests of the company on South River, an John Paul
expert and well qualified person to command there in their Jacquet ap-
absence, and direct the affairs at that distance, on the good pointed vice-
reports, and their own knowledge," appointed John Paul Jac- director. His
quet, "confiding in his probity, experience, and talents," commission.
vice-director and chief on that river, and commander of all the forts, lands, and places on said river, to keep good order for the security of Fort Casimir, and other places already fortified, or which may be fortified in future, and to have his orders observed and executed, in all concerning commerce, police, justice, militia; and further, to command all the soldiers, boatmen, freemen, officers of any class, either now in office, or that hereafter may be commissioned by him; to act as vice-director in behalf of the company, to keep order, do justice and administer it either in civil or military cases, and finally, to execute all what, by his station and office, might be required, agreeably to instructions received or to be received."²

The following is a summary of the instructions given him: December 3.

To have, in the fort and river, command of all officers, His instruc-
soldiers, and freemen, possess chief authority, place of hon- tions. Have
our, and first vote in council and all meetings called by him, chief com-
to which he shall propose all matters relative to police, jus- mand and
tice, commerce, &c., to be decided by a majority of votes, he casting vote.
having the casting vote.

The council to consist of Vice-director Andreas Hudde, Members of
Elmerhuysen Klein, and two sergeants, if an affair purely his council.
military, or relate to the company exclusively; but if purely
civil, between freemen and the company's servants, then, in-
stead of two sergeants, two most expert freemen.

A. Hudde to be secretary and surveyor, and keep minutes. A. Hudde,
Keys of the forts and magazines in the place of the vice- secretary
director's residence, to be intrusted to him; he alone to give or. and survey-
or.

¹ Albany Records, vol. x. p. 178.

² Ibid. p. 174.

| | | |
|---|-------|--|
| | 1655. | the watchword, and enjoy all general and special authority, and command of other officers under him. |
| Observance of the Sabbath. | | Strictly to observe the regulations respecting the sale of brandy, &c., to Indians, plundering gardens and plantations, running through the country, in town, and drinking on the Sabbath, its profanation, &c. |
| No officers to be absent from fort at night. No Swedes to stay in it. Visits to the fort. | | No officers or soldiers to be absent from the fort at night; no freemen, especially no Swede living in the country, to stay in the fort at night. Fort Casimir not to be too often visited by them or the savages, much less the fortifications examined. In this respect, pay particular attention on arrival of any foreign vessels, yachts, or ships. |
| No vessel to go above the fort. General regulations. | | No vessel to go above or below Fort Casimir to trade with savages or Christians, but such as remain at the fort at anchor, and well near the shore. All on guard to be kept in good order, keep fort in good repair, and its fortifications in proper state of defence; but permission may be granted to plant, on taking oath to assist the fort, or be transported, in case they refuse the oath. |
| Respecting lands. Numbers to reside together. Rent of lands. | | In granting lands, above all things, take care that a community of at least sixteen or twenty persons reside together, or so many families, and to prevent coveting lands, require, for the present, instead of one-tenth to be paid per morgen, only 12 stivers per annum. |
| Special direction concerning the lands near fort. | | Grant no houses or lots on the side of the meadow of Fort Casimir, viz. between the creek and the fort, nor behind the fort, that land to be reserved for fortifying and outworks of the fort. For favouring the dwelling together on the south side of the fortress, lay out a convenient street behind the houses already erected, and lay out convenient lots in the same, about 40 or 50 feet broad, by 100 long, and the street at least 4 or 5 rood broad. |
| Streets to be laid out. | | |
| December 3. | | Take very good notice of the behaviour of the Swedes there being yet, and in case any of them should be found not well affected to the honourable company and the state of our native country, "to prevent further trouble, you are to cause all such, with all imaginable civility, to depart, and if possible, send them hither," &c. |
| Observe conduct of the Swedes. | | |
| Jacquet's oath. | | This was probably the commencement of the present town of New Castle, then called New Amstel. Jacquet took the oath to be loyal and faithful, administer justice, and maintain laws, "maintain and protect the Re- |

formed religion, as it is learned and instructed in this country, in conformity to the word of God and the synod of Dordrecht, and to promote it as far as his power may extend; secure and defend the fort, &c."¹ 1655.

The following duties were imposed by Jacquet: on hogshead of French wine, 20 guilders; anker of brandy, and distilled waters, per tun, 6 guilders; Holland or foreign beer, per tun, 4 guilders.² No liquor to be sold to Indians.

Persons appointed by Jacquet to examine the situation of the fort, report it to be "very much decaying in its walls and batteries, and if it should ever be of any use, it ought to be renewed from the bottom, as the outworks are nearly destroyed, while what remains cannot last very long, from its disrupted and tottering situation."³

Jacquet had previously, for many years, resided in Brazil, in the service of the company.

A license of marriage is recorded, between Wm. Mauntz, "a young man from Wallshire, old about 33, to Jannitze Tomas, born in New Netherland, old about 16 years."⁴

Several sachems arrived at Fort Casimir, and demanded to be heard, as they had proposals to make, which being granted, they, in presence of Hudde, Gysbert, Bracy Elmerhuysen, Sandy Boyer, and many others, stated—First, that from the late commander, (Delmet?) they were promised an extension of the trade, and at higher prices. Director Jacquet replied, "that having lately arrived, he did not know what was done before, but his wish was to live in peace and amity with them, and that if any thing promised had been neglected through ignorance, it ought to be overlooked."

2. They ask an alteration in trade, "using a vast volubility of words," and demand for two deers a dress of cloth, and so of other things in proportion. The director replied, "that his principal's custom was not to dictate, but that each was at liberty to act his pleasure, and might go where his purse and the wares best suited," to which they assented.

3. That according to previous custom, to make presents to the chiefs, it was proper, as a confirmation of the treaty. The director "remonstrates that goods were now very scarce, though as much inclined as ever to give such proofs of friend-

¹ Albany Records, vol. x. pp. 174, 186—191. Reg. Penns. vol. iv. p. 82.

² Albany Records, vol. x. p. 191.

³ Ibid. p. 403.

⁴ Ibid. p. 407.

1655. ship; they would now, however, do what they could at present, and promise in three days to gratify their wishes."

Subscriptions by inhabitants for presents. Two persons decline.

On the next day the preceding articles were communicated to the inhabitants of Fort Casimir, and accepted with pleasure, each cheerfully subscribing, except Israel and Isaac Van der Zee, who made difficulties, and preferred to depart from the river, and abandon the trade, rather than assist, with the other inhabitants, to maintain the peace and tranquillity of the community.

Individual subscription for sachems.

One hundred and eighty-nine guilders were collected, of which the West India Company gave 38, Jacquet, 14-10, Hudde, 10-10, Mr. Jacob, Jan F. Camman, Connel Mauntz, each 13, Elmerhuysen Klein, 14, Thomas Brays, William Mauntz, John Eacophoff, S. Boyer, Harman Jansen, John Schagger, each 9, Oloff Steams, 8, Laurens Bors, 6, and Mons. Andreis, 4, most of whom wrote their names, a few only making marks.¹

1656.

January 18.

A claim presented. Reply of the directors.

A certain Claes Peterse Smith presents a claim for services rendered on South River, as well as for payment or restitution of three small fuzees. Council answer, that "when the petitioner has proved these particulars, and where he left the arms that were at his house when the Fortress Casimir was surrendered, further notice will be taken of his request."²

January 18.

Soldiers required to drive Swedes from New Netherland.

In the following letter, the States-General make a call upon the West India Company for soldiers, to be sent to New Netherland:

"With this we request and require of you to send, as soon as possible, the reinforcement, for the purpose of driving away some Swedish soldiers from the New Netherlands, as is mentioned in your last letter sent to us, on which we depend."³

January 19.

Petition of the Swedes against living in the village. Allowed to remain on their lands.

The free persons of the Swedish nation residing on the second corner above Fort Casimir, appear before council, and solicit that they may remain on their lands, as they have no inclination to change their place of abode, *neither to build in the new village*, but claim the promise made to them by the director-general, Stuyvesant, and that they will conclude finally what to do after the time of one year and six weeks, which was allotted them by the capitulation, shall be expired.

¹ Albany Records, vol. x. p. 407.

² MSS. A. P. S., in Reg. Penns. vol. iv. p. 96.

³ Holl. Doc. vol. viii. p. 26.

The parties being heard, their petition was granted, agreeably to capitulation, and they who are willing are permitted to come and reside in the village, while they who cannot yet conclude, shall be obliged to ask leave for this purpose, after that period shall be expired.¹ 1656.

Matthy Busain is appointed, by director-general, court messenger in Fort Casimir, and directed by Jacquet to be acknowledged as such.²

Jacobus Crabbe presents a petition respecting a plantation near the corner, where *brick and stone* are made and baked; granted, though after the place is inspected.³ February 5. Manufacture of bricks.

Council publish a placard commanding all persons to have their lots enclosed before 15th March, on penalty of 6 gl. Those who keep goats must have a keeper, or in case they are injured, expect no damages.⁴ February 13. Lots to be enclosed. A keeper for goats.

Swen Schute asks receipts for articles delivered Derck Smith, former commissary.⁵

A servant charges *Thomas Broen* for striking him, so that he cannot labour. *Thomas Broen* ordered to provide the servant with victuals till he can labour.⁶ Miscellaneous.

Thomas Broen is arrested for abuse of Director Jacquet.⁷

A qualification is made before A. Hudde, respecting a marriage contract, which was delayed completion *till a minister of the Gospel should arrive here*.⁸ February 24.

The following letter from the directors in Holland to Stuyvesant, written after receiving an account of the capture of the forts, shows their views of it and the capitulation, which are somewhat curious. They say, "We do not hesitate to approve of your expedition on the South River, and its happy termination, while it agrees in substance with our orders; however, we should not have been displeased, that such a formal capitulation for the surrender of the forts had not taken place, but that the whole business had been transacted in a similar manner as the Swedes set us an example of, when they made themselves master of Fort Casimir; our reason is *that all which is written and copied, is too long preserved, and may sometimes, when it is neither desired nor expected, be brought forward, whereas words not recorded, are by length of time forgotten, or may be explained, construed, or excused, as circumstances may require*. But as all this is passed by,

March 13. Views of the directors of the capture of Fort Casimir, and the capitulation. Curious reasons.

¹ Albany Records, vol. x. p. 411.

² Ibid. pp. 411, 413, 414, 421.

³ Ibid. p. 421.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

1656. { so our only object in making this observation, is to give a warning, if similar opportunities might present themselves in future. You will take care that said Fort Casimir is in every respect well provided, and placed in a state of defence, but do not mind the Fort Christina, leaving only, to ascertain its possession, three or four men in it, soliciting some individuals to establish themselves there."¹

March 22. H. Appleboom, the Swedish resident at the Hague, made the following declaration or protest to the States-General, against their proceedings on the Delaware last year:

Appleboom's protest. "The underwritten resident of Sweden doth find himself obliged by express order, to declare unto their high and mighty lordships herewith, how that the commissioners of the West India Company of this country in the New Netherlands, now the last summer did unexpectedly assault, by force of arms, the Swedish colony there, taking from them their forts, and drove away the inhabitants, and wholly dispossessed the Swedish company of their district. It is true and without dispute, that the Swedish company did acquire *optimo titulo juris* that part which they possessed, and did buy it of the natives, and consequently have had possession of it for several years, without that the West India Company of these countries did ever pretend any thing. Wherefore, the said resident doth not doubt but these hostilities will very much displease their high and mighty lordships, and doth desire, in the name of his most gracious king and lord, that their high and mighty lordships would be pleased to take some speedy order for the redressing of such unlawful proceedings, as the justice, the mutual amity between both nations, and the consequence of the business require, and is expected from their high wisdoms, whereby the Swedish company may be restored undamnified.

H. APPLEBOOM.

"Done at the Hague, 22d March, 1656, (N. S.)"²

March 24. It appears by the following minute what action was taken by the States-General on the subject:

"24th March, 1656. Received a memorial presented to the States-General by the Swedish resident, Appleboom, with complaints, that the preceding summer, the officers of the Dutch West India Company in New Netherland had attacked with arms the Swedish company, inhabiting the lands on the

¹ Albany Records, vol. iv. p. 204. The date at the foot of this letter is May 13. ² Thurlow's State Papers, vol. iv. p. 599. Reg. Penns. vol. i. p. 36.

South River of Florida, in the most unforeseen manner, taken their forts, and driven out the inhabitants, and had dispossessed, by this means, the Swedish company of their districts; the said resident therefore praying that it would please the States-General, in order to redress the disorderly proceedings of the West India Company, to take such measures as were most consonant to justice, the mutual friendship subsisting between the two nations, and the importance of the question. Resolved, that the said memorial shall be examined, together with an extensive memorial presented to the States-General on the same business, by the deputies of Amsterdam, Rotterdam, and Hoorn, to make as speedily as possible a report on it, and prepare an answer to the Swedish memorial."¹

"The expulsion of the Swedes from the South River, continued for many years to be a subject of complaint, on the part of the crown of Sweden, to the States-General."²

Intelligence communicated by J. P. Jacquet was received by council, that some of the remaining Swedes were very turbulent and dangerous. Swen Schute and Jacob Swenske, among others, were alleged to have held secret intercourse with the savages; the commander was ordered to send them, by the first vessel of Jan Jacobsen, to Fort Amsterdam, and to insure his success, in case of resistance, 12 soldiers were sent to him, to be returned in the same vessel. The oath of allegiance was to be taken by the other Swedes, and the refractory to be transported.³

Evertze Devez, a Swedish woman, complained against, in New Amsterdam, for debauching the negroes of the company and others; "having a very bad name," is required to transport herself, without delay, to Long Island or South River, "to avoid public scandal."⁴

After the surrender of Fort Casimir to the Dutch, and before the news had reached Sweden, a vessel called "Mercurius," Captain Hendrick Huygh, sailed from thence with a considerable number of emigrants. She arrived safely in the Delaware, but very much to the surprise of all on board, they soon learned the fact that all was in possession of the Dutch.

¹ Copied from MSS. in N. Y. Hist. Society's possession, given by Dr. Samuel Miller, and received by him from William Murray, dated Hague, June 29, 1799.

² O'Call. p. 327; also a Swedish memorial, translated from Aitzema, vol. v. pp. 247, 573, dated June, 1664.

³ Albany Records, vol. x. p. 352; vol. xi. p. 327. ⁴ Ibid. vol. xiii. p. 256.

1656.

March 29.
Complaints
against the
Swedes for
turbulence,
&c. Swen
Schute, &c.
ordered to
be sent to
Manhattan.

A woman
ordered to
Delaware.

1656.

The arrival is soon announced, by several communications, to the authorities at Manhattan, as appears from the following extracts :

March 29.

Arrival of
the Mercury.
Not permitted
to land,
but may
come to Fort
Amsterdam.

"The commanding officer on South River informs them, by Mr. Allerton's small vessel, of the arrival of a Swedish vessel named 'Mercurius,' manned with 130 men. Resolved, not to permit the Swedes to come on shore, and that they might return in the vessel to Sweden, or if it rather pleased them to come hither, that a permit to pass and repass would be sent, to depart again from here without any trouble in any manner, after they should have provided themselves with a fresh supply of victuals and other necessary commodities. Done at night at Fort Amsterdam, between 28th and 29th of March."¹

March 30.

Letter from
J. Pappe-
goya, on the
subject of
the Mercu-
ry. Resolu-
tion of di-
rectors.

Director is informed, in addition, by a letter from honourable John Pappegoya, of the arrival of the Mercury, "with a few Swedish families, which, for some weighty reasons, cannot be permitted to be landed there on shore, without further orders of principals; that they are disposed to return, which cannot and ought not to be refused; but further it appears, that it is highly probable that this small vessel, with 130 souls on board, after such a long voyage, might be, on its return home, in want of victuals, if this vessel could not be provided with a fresh supply; so is it, that we, director-general and council, intending nothing else, and having nothing more at heart than to preserve the ancient union and friendship between the two nations, leaving our disputes about our territorial claims on the lands on South River to the decision of our reciprocal principals, give an absolute consent, pass and repass, to the aforesaid vessel Mercury, its officers, sailors, and passengers, to come hither to their contentment, to provide here in New Amsterdam for all their wants, by a fresh supply of victuals and other commodities, and leave again at their good pleasure."²

Finding remonstrances and appeals to Jacquet in vain, and that nothing could be effected here, the captain proceeded overland to Manhattan, the head-quarters of the Dutch government, and there addressed the following letter to the director-general and company, in which he feelingly describes his unpleasant position :

¹ Albany Records, vol. x. p. 351; vol. xi. p. 326. Reg. Penns. vol. iv. p. 83.

² Ibid. vol. x. p. 353; vol. xi. p. 328.

“Gentlemen—Whereas my instructions required that I should unload my cargo, and a few families and some colonists, in New Sweden, in the neighbourhood of Fort Christina, but when I arrived off the mouth of the river, I understood, very unexpectedly, that every thing which might deserve the name of Swedish, inhabitants, fortresses, ammunition, yachts, scales, with all the stock and personal property, was, either by ministers of the West India Company, or by the director-general, taken by a capitulation between the director-general and Commander John Rysingh; which unexpected change made me resolve to try to obtain a faithful statement, wherefore I went to Fort Casimir, and being there informed of all that had passed, although I could not acknowledge any other sovereign than my own, I required some explanation, in a courteous conversation with Commander Jacquet, requesting to proceed unmolested to the place of destination, to execute what I was instructed to, who replied, that he could not comply, having no orders from the director-general and council for this purpose; he desired me, therefore, to obtain the general’s opinion in writing, and kept me meanwhile in arrest, against all reason, in my opinion, as hinting that I was looked upon as a traitor and an enemy of his state, whereas I visited him with the best faith, to avoid any disagreeable occurrences, or giving offence, without intending it. This passed, he received an answer from the director-general, who declined to permit me to act agreeably to my instructions, while his honour made me an offer, that if I would come to New Amsterdam, I should be at full liberty to do so, as well to unload my vessel, as to take in a new cargo, provide myself with a fresh supply of victuals, trade there at my pleasure, and return afterwards to Sweden, enjoining, and said it was the determined resolution of the director-general, that the colonists should return with me in the same vessel; when I afterwards undertook this journey by land, and therefore, for the present, solicit, with all reverence, that it may please the director-general and council to consider the distressing situation of these colonists. Besides the immense losses which they suffer, many good farmers were ruined, parents were separated from their children, even husband from wife, and all, without exception, bereft of liberty of their religious worship. In this distressed state, they were compelled to reside among a foreign nation, whose language they could

1656.

Letter of
Capt. Huygh
to director-
general and
council.
Finds, very
unexpected-
ly, every
thing in pos-
session of
the Dutch.

Requests ex-
planations
from Jac-
quet; is ar-
rested and
referred to
the director-
general; is
looked upon
as a traitor.

Presents a
pitiable
statement of
his case, and
pleads for
the favour
of the direc-
tor-general,
&c.

1656.

April 11.

Asks for permission to settle somewhere till he can receive fresh instructions.

not understand, whose manners were unknown to them, besides that they crossed the sea to colonize and increase the population of New Sweden, not that indeed of any other country further. I solicit that I may be permitted, with the families and colonists under my direction, and the cargo entrusted to my care, may settle in any of the deserted places, or in any other unsettled part of the country, or which I might select and deemed proper for our present purpose, till I receive new orders from Sweden, or was informed of the course which my masters should recommend to pursue, or might be dictated by the mayors, leaving the past transactions as I found them, alone; that we might not be separated from one another, and we be permitted to trade for our support, till, by new orders, we were provided for our future lot; which, if it is not permitted, then I would solicit what has been offered by director-general and council, viz. that the vessel, to obtain a fresh supply of victuals, might be favoured with a safe conduct, and that this might be extended to my person, obliging myself to remain in the river, to cultivate friendship and good correspondence, and contribute all that was in my power to avert all calamities, as well of Indians as Christians, to the security of the subjects of both governments, leaving it further to our principals to make a final arrangement for settling between them the contested points, which issue we are resolved to await with patience and resignation. New Amsterdam, April 11th, 1656.

“HENDRICK HUYGH.”¹

Upon considering the foregoing petition of Capt. Huygh, the director and council decide as follows:

April 11.

Mercury peremptorily ordered to depart from South River.

They deny any knowledge of the truth of the alleged assertion of the captain, that Jacquet called him a “traitor and enemy,” and say, “The written proposal or request in substance corresponds with the letter of John Pappegoya, of 24th March, from South River, written for this purpose, and answered by the honourable director at large, on the 29th of that month, which answer and resolution the director-general and council are still conforming themselves to, viz. that their honours, for reasons explained in that letter more at large, cannot admit in the South River any vessel, nor permit any foreign trade, nor the residing of foreigners on its shores in that district, except those who arrive there with their special

¹ Albany Records, vol. x. p. 362; vol. xi. p. 338.

orders and commissions, wherefore the order is again renewed to the petitioner, to depart from there with his ship Mercury, its crew and passengers; it is left to the petitioner's choice to effect this from their free will, and by their own orders, and depart to which place they deem proper, or, by refusal, the director-general and council will be compelled to adopt other measures to effect the departure of the ship Mercury, and any other vessel arriving there without their orders, or the commission of their principals, of which alternative the director-general and council demand the petitioner's prompt resolution and answer, while the director-general and council will not be responsible for any damages which might be the consequence of his non-compliance. Done at meeting of council in Fort Amsterdam. Signed,

"P. STUYVESANT, A. DE SILLE,
"MONTAGNE, TIENHOVEN."¹

Captain Huygh appeared next day in council, "and answered, on our resolution of the 11th, that he accepted the safe conduct of passing and repassing, and was resolved that his ship Mercury, and her crew, passengers, and cargo, should come hither, while he would remain here till her arrival: he solicits further, that the vice-director there may be authorized to despatch said vessel as soon as possible; which was then, by the director-general and council, taken into further consideration. To avoid further expenses, it was deemed superfluous, as yesterday was proposed, to send thither the man-of-war, to convey the Mercury here in safety; and they deem it now only necessary and serviceable that the ship Weigh-scales shall remain here till the Swedish vessel shall have arrived."

They accordingly despatched a messenger with a letter, dated 12th April, to Jacquet, to which it appears, from a record between the 12th and 29th, they had received no answer, at which they express much surprise, and "cannot account for it or the delay of the Swedish ship, except by various floating rumours; some say they heard from savages that there had arisen some differences between our nation and the aforesaid Swedes, or with the Indians on South River." The director-general and council, after considering, "are of opinion that the welfare of the country in general, and particularly of the West India Company, are closely connected with that of South River, and the departure from there of

1656.

April 12.

Huygh's answer to order of council, and their resolution to keep the ship Weigh-scales in port.

April 12.

No answer received to letter by the special messenger sent to South River. Ensign Smith sent to know the reason of detention of ship.
Rumours.

¹ Albany Records, vol. x. p. 366; vol. xi. p. 341.

1656. the Swedish ship *Mercury*, crew, and passengers. They resolve, in order to obtain direct information, to command Ensign Smith, at the head of 12 or 15 armed men, to go thither by land, with orders to send from there by a savage, &c., as soon as possible, tidings if the ship *Mercury* had sailed from there or not, and what is the present situation of the affairs of the company in that neighbourhood; and the ensign to return as soon as possible."¹

April 12.

Early conveyances of land near Fort Casimir.

Not long after the recovery of Fort Casimir by the Dutch from the Swedes, grants of land were made by Stuyvesant, many of which are on record, either at Albany or New Castle. He styles himself "Peter Stuyvesant, under their high and mighty the lords States-General of the New Netherland, and the honourable West India Company, director-general of New Netherland, Curacao, Bonayro, Aruba, and the dependencies thereof, and the honourable gentlemen of council." The earliest that we have noticed is April 12, to Thomas Broen, "a plantation lying in South River of New Netherland, below the Fort Casimir," 2046 rods, with express conditions, &c. A house and lot to A. Hudde, "nigh Fort Casimir," November 30. Under same date, a plantation to Alexander Boyer, "north of Fort Casimir, on the point between the first and second meadow," and various others of intermediate dates.²

May 1.

The situation of things seems to have assumed a threatening aspect, arising, apparently, from the interference of the Swedes and Indians in the affair of the ship *Mercury*, as appears from the following documents on record.

Letters and declaration were received from A. Hudde, at South River, with respect to the situation of that country.

Condition of things on South River. Case of ship *Mercury*. Discussion on sending the Weigh-scales to South River.

Governor Stuyvesant advised the council to send the man-of-war "Weigh-scales," and two members of council, to obtain correct information, and to retrieve affairs as much as possible, to the best advantage of the company.

Mr. De Sille agrees with the director about sending a vessel; is willing to go himself, if, in case of any difficulty in New Amsterdam, they will take care of his family and interests. Montagne agrees with the director about the "Weigh-scales," provided that orders be given that no hostile attack shall be made on the Swedish vessel, as she actually unloaded

¹ Albany Records, vol. x. pp. 367, 384; vol. ix. p. 366.

² Albany Records, "Dutch Patents, beginning in 1654." Reg. of Penns. vol. iv. p. 121. Penn's Breviat, p. 36.

her cargo and discharged her crew. Tienhoven, taking into view the letters from Jacquet, and the information by Hudde, about the ship Mercury, which has dared to proceed to Mantes Hoeck, where she landed her passengers, with the consent of the vice-director, from which many difficulties and trials might arise, and as the man-of-war, the "Weigh-scales," is yet on our shores, thinks she should be employed on the South River, to crush any such attempts, and that she ought to be despatched at once, "to bring, if it is possible, in the most civil manner, the ship Mercury from there, and reconcile the natives to our nation."

1656.

The council, after hearing these several suggestions, adopt the following resolution :

"Taking into further consideration the weighty reasons why the aforesaid ship, the Mercury, as we did hope, against the orders of the commissary, Hendrick Huygh, did not come hither, and heard upon it, and compared the reports of several passengers, viz. Mr. Isaac Allerton, Captain Jan Jacobsen, Claes De Croyter, and several other persons, among whom, Otto Grim, a soldier, and N. N. Swart, carpenter of the ship Weigh-scales, who all unanimously unite in the declaration, that as far as they know, the not returning hither of the said vessel was not caused by the skipper or crew of said ship, but that it was prevented by several Swedes, who, in conjunction with many Indians, arrived on board of said ship with Pappegoya, and remained altogether in large numbers, till said ship had actually passed Fort Casimir, while the same men and others did further relate that to them it appeared, from all circumstances, pretty clear, that some of the principal Swedish settlers were the only cause of all this turmoil, and that a large number of Swedes who had taken the oath of allegiance were stirred up by them, or hired by their misrepresentations ; at least we cannot, as yet, either from these reports, or from the letter of the commissary, Hendrick Huygh, who constantly remaineth here, and waited for the arrival of said vessel, find any fault with him, neither with skipper, his officers, or crew ; all which being taken into mature consideration, to prevent greater damages and more serious complaints, we deemed it more proper and useful to despatch thither in the man-of-war the "Weigh-scales," Hendrick Huygh, with two members of council, promising to take care of his interests, when he conducts himself in a proper

Resolution of council in case of the Mercury.

She is detained by Swedes, Indians, and Pappegoya.

The crew and skipper exempt from blame.

Despatch the captain and two members of council in the Weigh-scales.

1656. { manner, as a good and loyal servant ought to do, and so far as may be in his power, to promote the peace and harmony between savages and Christians, continuing, with regard to him, full liberty to pass and repass with his ship and cargo, without giving any offence, or violating our laws; when he is permitted, on his arrival here, to trade with his goods, provided he submits to the payment of all such duties, and those only, as other subjects and strangers pay, with the same privileges, while at his request our commissioners are authorized not only to protect him, and assure him the enjoyment of all which we have promised, but further assist him, by word and deed, against all who, against his orders, had already, or might obstruct his orders in the departure of said ship from South River, and to procure him a recovery of damages, if he suffered any on her cargo. Done, &c., May 1.

Freedom from duties, and protection promised to the captain on conditions.

“Signed, PETER STUYVESANT,
N. DE SILLE,
C. TIENHOVEN.”¹

In consequence of the foregoing, Huygh signed the following obligation:

May 3.
Obligation of Hendrick Huygh to conduct himself well, and submit to director and council.

“I, undersigned, Hendrick Huygh, commissioned by the company of the South, in Sweden, on a voyage in the ship Mercury, as the commissary, before my arrival on South River, not knowing any thing about the changes which happened there since I left that country, promise under my signature, in lieu of oath, that I, on the safeguard which I have obtained from the director-general and council, will conduct myself, as well in regard to my commerce, as to my residence either here or on the South River, as a faithful and obedient servant, and submit to all such orders and laws as the subjects of New Netherland, and particularly that I will in no manner whatever, foment disunion between Christians and savages, but that I rather will exert myself to the utmost to soothe the animosities between the Christians and natives, and endeavour to reconcile and unite them, and act and conduct myself, in every respect, as if I was a sworn subject of this state. In further security of my promise, I submit my person, and my property, real and personal, present and future, to the judicature of any court of justice. Signed at New Amsterdam, May 3, 1656.”

May 3.
And to soothe animosities between Christians and natives.

¹ Albany Records, vol. xiii. pp. 1—7.

Mathias, a Swedish clergyman, arrives in the *Mercurius*, 1656. and returned to Sweden in about two years.¹

Also, Andreas Bengtsen, the ancestor of the *Bankson* families, into which the name changed; he was living here, April 6, 1703.²

A regulation was adopted, "that all the swine should be yoked within twenty-four hours, or be killed by the soldiers."³

Jews are prohibited from trading on South River.⁴

H. Huygh represents to the director-general and council, that on their promise and assurance, when he arrived before the city of New Amsterdam with his ship *Mercury*, that he should be treated with civility and courtesy, till the case in question should be decided, he desires to be informed what duties they contemplate demanding, that he may know how to regulate his conduct. They inform him that "he ought to pay the duties of recognition on all the imported goods, 10 per cent., but as he remonstrates, and it actually appears that some of the goods are damaged, he is permitted to pay, in lieu of recognitions, for all the goods laden on the *Mercury*, amounting, by invoice, to 9079.10 guilders, (£1513, 4s. 2d.) the sum of 750 guilders, (£141, 13s. 4d.)"⁵

A Swede and a Finn were arrested for selling beer to a savage, but being lately arrived, and doing it through *ignorance*, were discharged.⁶

Printz's daughter, Armgard, now Madame Pappegoya, who still remained (with her husband) in the country, had, for some reasons, been deprived or dispossessed of her father's property; now applies to the director-general to be reinstated in it. Her memorial sets forth, "It is, without doubt, well known to the director-general, that our late lord governor, my highly revered lord and father, prepared a farm, partly cultivated by freemen, who are returned to Sweden, and surrendered it to him, and partly cleared by his orders, and cultivated for several years; that this was granted him by the king, and by the present royal majesty was confirmed, but which now, since three years, being abandoned, was again covered with bushes, and the dwelling-house nearly destroyed by the Indians, and so I have been obliged to repair it, by three Finns, and to sow its fields, when, unexpectedly, I was

May 22.
Swine to be
yoked.

June 14s

July 11.

The *Mercury*
arrives at
Manhattan.

Duties on
ship *Mer-*
cury.

Value of her
cargo.

July.

Ignorance of
law excused.

August 3.

Memorial of
Armgard
Printz for
her father's
lands.

¹ Campanius, p. 109.

² Clay, p. 31.

³ Acrelius, p. 420.

⁴ Albany Records, vol. iv. p. 212.

⁵ Ibid. vol. xiii. p. 374; vol. xi. p. 433.

⁶ Ibid. vol. xiii. p. 101.

1656. { forbidden by the present commander, to take possession of it again; wherefore I am compelled to inform the director-general of this event, with humble supplication that it may please him graciously, and from the friendship between him and my lord and father, to favour me with this possession, as I am confident that his honour will do, and solicit further, that my people may remain unmolested at *Printzdrorp*, and continue to cultivate its soil; and that his honour, &c. may be pleased to grant me, for my greater security, letters-patent for that spot, and so too for *Tinnakonk*. I hope that my lord and father will acknowledge it as a mark of great friendship, and as far as it is in his power, be remunerated with thankfulness; with which I recommend the director-general to the protection of God Almighty. Dated at *Tinnakonk*, August 3, 1656. The director-general's humble servant,

“ARMGARD PRINTZ.”

Her petition
granted.

“The suppliant is permitted, agreeably to the capitulation, to take possession of the lands of her lord and father, in *Printzdrorp*, and to use it to her best advantage. Done at New Amsterdam, August 28, 1656. P. STUYVESANT.”¹

It is not precisely known where *Printzdrorp* was situated, but it is supposed to have been a village, (as the name implies,) in the neighbourhood, or upon a part of *Tinnecum*. Tradition places it on the south-east portion.

Transfer of
Fort Casimir
to city of
Amsterdam
arranged.
Name
changed.

The Dutch West India Company, being much in debt, from various causes, previous to the affairs on South River, which, instead of relieving, had the tendency to embarrass them still further, having been compelled to obtain aid from the city of Amsterdam in recovering South River, now proposed, in order to relieve themselves, to transfer *Fort Casimir*, and some adjoining territory, to the city of Amsterdam. After repeated negotiations, the arrangement was effected, the colony was named *New Amstel*, and steps taken to encourage settlements, as will be seen by the following conditions entered into between the burgomasters of Amsterdam and the colonists in the city's colony of *New Amstel*.

August 16.
Colonists to
be trans-
ported free
of expense.

They are to be transported, with their families, furniture, &c., in vessels to be procured by the city, who are to advance the freight money, to be afterwards refunded. The city engages to provide them a fruitful soil, healthy and temperate climate, watered by, and situated on a fresh water river, on

¹ Albany Records, vol. xi. p. 518, 519; vol. xiii. p. 154, 155.

which large ships may sail, having made an agreement with the West India Company to this effect, for a place at their disposal, to which no other persons have any claim; the city there to lay out on the river-side a suitable place for their residence, and fortify it with a trench without and a wall within, and divide the enclosed land into streets, a market, and lots, for traders, mechanics, and farmers, all at the expense of the city. The city to provide a schoolmaster, (who shall also read the Holy Scriptures in public, and set the Psalms,) and provide for him.

1656.

A town to be laid out on river side, and to be fortified. Schoolmaster to be provided, and to be reader.

The city to provide, for one year, clothing, provisions, and garden seeds, build a large storehouse to contain their goods, clothing, and provisions, keep a factor there, with all necessities, and sell them at Amsterdam prices to the colonists, company's toll excepted, which shall be employed in building and supporting public works, by those authorized by the West India Company and city. The police of the town or city, as well as administration of justice, to be as in Amsterdam. A *schout*, or head of justice, appointed in the name of their High Mightinesses and West India Company, by deputies of Amsterdam, who shall give the director a power of attorney. Three burgomasters to be appointed by the common burghers, from the "honestest, fittest, and richest," and five or seven schepens, for which the burghers to nominate a double number, from which the director by attorney is to select. When the town contains 200 or more families, they shall choose a common council of 21 persons, to meet with the burgomasters and schepens, and consult on matters relating to government of the city; once established, the council to supply vacancies by a new election, by a plurality of votes; they shall annually choose burgomasters, and nominate a double number out of which to choose schepens. The schepens are to decide causes for all sums under 100 guilders, (\$60;) over that sum, appeal allowed to director-general and council of New Netherland. The schepens to pronounce sentences in criminal cases, subject to appeal.

City to provide for one year, clothing, &c. Build a warehouse. Sell goods at Amsterdam prices. Police and justice as at Amsterdam.

Mode of appointing town officers.

Common council, how and when chosen.

Duties of schepens.

The city of Amsterdam to agree with a smith, wheelwright, and carpenter, to live there with the colonists.

City to furnish mechanics. Lands to be divided.

The said city shall divide the lands about the town into fields, for plough, meadow, and pasture, and allow for roads. Every farmer to have, "in free, fast, and durable property," as many morgens of land as the family can improve, and for

1656.

Free from
tenths for 20
years.

grazing, which must be under cultivation in two years, or forfeit them; no poundage, horn-money or salt-money to be required for ten years from the first sowing or pasturing; at the end of ten years to pay no higher tax than the lowest in any other district of the West India Company. Shall be free from tenths for twenty years from first sowing; at end of twenty years, the tenths shall be given to city of Amsterdam, half of which tenths to be applied to support of public works, and of persons employed in public service; and so also of poundage, and other charges, whenever paid.

Shipping
must con-
sign goods to
city, to sell
on commis-
sion.

During and after sending ships from Holland, to load and bring over corn, seeds, wood, and merchandise by the city, the most useful of the colonists are at liberty to charter private ships; but they must be consigned to the city of Amsterdam, who shall provide for them there storehouses, sell the goods, and return the proceeds as ordered, deducting only 2 per cent. for commissions, and one-tenth of net proceeds for disbursements by the city, for the freight and passages of the colonists and their goods, which shall cease when the disbursements are refunded.

Colonists
may take
goods from
public, and
pay in
Europe.

Privileges of
wood, and
fishing and
hunting.

Certain offi-
cers to be
appointed by
burgomas-
ters of Am-
sterdam.

Mines and
minerals
free to dis-
coverer.

City to pro-
vide ware-
house in Am-
sterdam.

The colonists may take what they require from the city's warehouse, at a fixed price, the account to be sent with their goods, to be deducted therefrom.

Colonists may cut what wood they require for building houses and vessels, from any forests in the district not granted to private persons, free of cost, and may also freely hunt in the woods, and fish in any waters not private property, under regulations to be made by the company, &c. The burgo-masters of Amsterdam, as founders and patroons, shall appoint secretary, messengers, and other inferior persons, and the city of Amsterdam shall see that all tools and implements be transported free, and without recognitions. The discoverer of minerals, crystals, precious stones, marble, &c., may keep them as his own for ten years, free of duty or imposition; after ten years, to pay the company one-tenth of their proceeds. The city of Amsterdam shall provide a warehouse for all the goods it intends to send to New Netherland, to be visited by any person appointed by the directors of the West India Company, under the inspection of a person appointed by the city, and marked with the marks of the city and company, the recognition to be paid to the company, according to the list. These goods may then be laden, with the know-

ledge of the company, on any vessels they may obtain. If the city ships any goods on freight to New Amsterdam, they must submit to the same regulations as others; but if the city of Amsterdam sends its own or chartered vessel, laden only with its own goods, the vessel must go to its own city or colony, but all the goods on board shall be advertised in the city warehouse, under the inspection of any one of the company appointed for the purpose, to whom the letters and commission from the company shall be delivered; and *vice versa*, of goods imported from the city's colony into Amsterdam; duties due to the country and the company to be paid.

1656.

Regulations
on shipping.

All materials, &c., for farming or trades, to be free from recognition; all produce of New Netherland, on importation, to be free of duty; so also, salted or dried fish taken there. Peltry, as beavers, otters, &c., to pay 8 per cent. Besides the duties above, paid in Amsterdam, there must also be paid in New Netherland, 4 per cent. in light money, reckoning the rix-dollar at 63 stivers.¹

Materials for
farming and
trades to be
free.

Duties.

A board of commissioners to manage the affairs of New Amstel, to reside in Amsterdam, was appointed; preparations made for an expedition of emigrants, 40 soldiers engaged, under command of Captain Martin Krygier, and Lieutenant Alexander D'Hinoyossa, the expense of which, and support of settlers one year, estimated at 36,000 guilders, (\$14,000 or \$15,000,) raised by a loan.²

Board of
commission-
ers in New
Amstel ap-
pointed.
Emigrants
and soldiers
under Capt.
Krygier and
Hinoyossa.

A contract with Niles Matson, for an island, near Christina, and a certain field to Paul Janses, situated on south-west side of Christina Creek, obliquely to the fort; with regard to the mill, this is left to the choice of sub-sheriff and commissioners to repair it."³

Island and
mill near
Christina.

The following deliberations of the council of the city of Amsterdam, relate to the new colony to be established:

Nov. 4.

Extract from the resolutions of the council of the city of Amsterdam:

"November 4, 1656.—The burgomasters having immediately made known to the council, that their honours, in providing for the wants of the New Netherlands, among other matters, had deliberated in what manner, and by whom, the city should take over Fort Casimir, situated near the River Delaware, from the West India Company, it being destined

Resolutions
of Amster-
dam respect-
ing the new
colony.
Farmers to
be sent over.

¹ Hazard's Hist. Coll. vol. ii. pp. 543—547; List of Duties, 548.

² O'Call. vol. ii. p. 334.

³ Albany Records.

1656. to be the first place of abode in the new colony, and is, for the future, to be guarded and protected from outward violence, as the present garrison is taken from thence by the said company, and is intended to be quartered in their other forts laying along the river, further upwards; and that their honours took into consideration these means, to wit, to send over from sixty to seventy farmers, from the country called Guliker, and the surrounding places, for finding tenements for the daily quarters of the soldiers, for instructing them for warfare, and on certain conditions, in their turn to guard and to stand sentinel, and the remainder of the time to be occupied in agricultural pursuits, or if it would not be better to have a certain number of soldiers to garrison the fort effectually. Then their honours, considering that these means, one the more, the other less, would only amount to reasonable expenses to this city, have decided, before coming to a final determination, to request and take the advice and order of this council; on which having deliberated, and judged that the keeping of soldiers, or those that have to attend to their duty, for the safety of places, villages, or cities, is one of the fundamental necessities of the same,

“It is unanimously resolved and decided to request the burgomasters with this, and authorize them to do what they judge best, and for the greatest advantage of the projected colony.¹”

Nov. 4. It was ordered that a BRIDGE was highly necessary *over the creek, near the Fortress Casimir*, because the passage is now impracticable; decided that it shall be made, 22d instant, being Monday.

Also, that the fields be fenced. Two persons to be appointed *overseers or inspectors of fences*. Harman Jansen and John Echhost were appointed. The community are requested to cut *palisades to strengthen the fort*, which the public safety much requires, as the fort ought to be enclosed with palisades on every side.²

Nov. 27. A “placard” complains that lots and plantations, in the neighbourhood of the fort, lie open like commons; as their proprietors are not residing on the spot, others have taken possession of more lands than they can cultivate; fences to be put up by last of February, or forfeit 10 guilders, or on

¹ Holl. Doc. vol. xv. pp. 7—9.

² Albany Records, vol. x. p. 448.

seven days' delay, 20 guilders; another seven days, they to be considered obstinate, and forfeit the land. 1656.

The cultivation of and trade in tobacco was at this time one of the chief objects of attention, and the character of it stood very high. On the 9th of November, the community was summoned at the fort, to nominate four persons, out of whom to elect two expert persons as tobacco inspectors; and on the 12th December, a placard was posted up, stating that, "as it is ascertained that this river has *become renowned for its tobacco*, and persons are daily encouraged to settle within its limits, if this produce is managed as it ought to be, and properly cured and packed, and all sorts of fraud which might be used is carefully avoided; and whereas, all this cannot well be effected, except it is examined and inspected before it is exported; and whereas, expert and faithful persons are required for this inspection," &c., Meenes Andriessen and William Maunts are selected from the nomination, as inspectors, "who shall inspect and examine all the tobacco, before it may be delivered, shipped, or exported, and give a certificate to the owner." If any one will not submit to inspection and examination, the honourable Jacquet "commands all the inhabitants residing on this river, that they shall not, in future, undertake to deliver any tobacco, or receive it, much less export it, without the act of inspectors that it has been weighed and inspected; and for each 100 weight of inspected tobacco, paid 6 stivers by the receiver, and 4 stivers by the seller, on penalty of 50 guilders for first offence, and for second and third in proportion, the informer to receive 20 guilders, and his name kept secret."¹

Dec. 12.

Act for the inspection of tobacco. Two inspectors appointed.

Penalty for shipping without inspection.

The following are the instructions from the directors in Holland to Governor Stuyvesant, for the conveyance of Fort Casimir, as a distinct colony, to the city of Amsterdam, the name of which, as well as Forts Christina and New Gottenberg, are to be changed:

Dec. 19.

"Whereas the burgomasters, as we mentioned before, have chosen to settle their colony on the South River, in the neighbourhood of *Fort Casimir, now to be called NEW AMSTEL*, who, farther to garrison said fort, and defend the inhabitants of said colony, farmers, and free mechanics, (about souls,) embarked a company of soldiers, under command of Captain Martin Krygier, whom we, upon the good report

Orders for transfer of Fort Casimir to burgomasters of Amsterdam. Name changed to New Amstel.

¹ Albany Records, vol. x. p. 450. Ibid. p. 448.

1656. of your honour, have recommended to the burgomasters, we did not only deem it necessary to send you this information, but at the same time to command to deliver said fort, with the lands in its neighbourhood which we had purchased, to *Jacob Alricks, who embarks as director* and commissary-general of said burgomasters, over and in the colony aforesaid, whom your honour will assist with his aid and advice. We authorize your honour to make this transfer in due form, including in it all the artillery and ammunition, and what further of the company's property might remain in that fort, not omitting to have an inventory made of all the articles, which ought to be signed by said Director Alricks, to regulate our conduct by it in process of time.

Alricks appointed commissary.

“What regards the *Forts Christina and New Gottenberg, now called by us Altona and the Island Kattenberg*, your honour will, for the present, garrison both with eight or ten soldiers, as well for defence of the Swedes and our inhabitants in that vicinity, as to imbue the natives with some awe. Your honour will by no means neglect to inform us, by the first opportunity, of the present situation of affairs, and what in your opinion would be their best direction. You will dispose of the remainder of the soldiers where your honour shall deem most proper.

Fort Christina changed to Altona; Gottenberg to Island Kattenberg.

“The confidence which we feel about the success and increase of this new colony, and of which we hope to see next spring some prominent features, while to all appearance large numbers of the exiled *Waldenses*, who shall be warned, will flock thither as to an asylum—this confidence induces us to send you orders, *that you may endeavour to purchase, before it can be accomplished by any other nation, all that tract of land situated between the South River and the corner of the North River*, to provide establishments for these emigrants, and receive in this manner an additional defence and increase.

Waldenses expected to emigrate.

Large purchase of land ordered, between South and North Rivers.

“It is the opinion of many here, that by the establishment of said new colony, many of our inhabitants will be induced to move thither by reason of considerable expected benefits, without paying any taxes during the first years; which point, as it is well deserving consideration, so it ought, if feasible, to be prevented, and the management of said colony be followed. It is in this regard momentous to prevent complaints, for which occasion is given when the goods are overcharged

above the sums for which they here had obliged themselves." 1656. They then speak of the commissary appointed to the administration of the colony, intending to land with the ship Prince Maurice, at Fort Amsterdam, to obtain there, with less trouble and expense, the merchandise and goods which, from the smallness of that vessel, were embarked on the "Beaver," and "Flower of Gelder;" and ask his honour's assistance to the Director to promote his journey, and render it as expeditious and convenient as possible: "because neither the vessel nor cargo is subject to any visitation at New Netherland; but when it shall arrive at South River, at the place of destination, then it will be unladed and inspected by the custom-house officers, and then carried to the magazine in conformity to 34 and 35 articles of the printed conditions."

Jacques Cartier is mentioned as engineer and a good surveyor, and who might be of great service in selecting the spot for the houses to be erected on, &c., "that so the said colony may at least be successful in its beginning."¹

In consequence of Alrick's detention, the delivery of the colony was not formally made till next year.

Frequent reference has already been made to a long "Holland document," written in this year, which gives an interesting view of matters on this river from the building of Fort Nassau, which might be interesting if printed consecutively: but as the material parts have been noticed under their appropriate dates, only the views at that time entertained respecting the importance of the Delaware are introduced here.

"This river Delaware is considered the finest of all North America, being wide, deep, and navigable; abounding in fish, especially an abundance of *sturgeons*, of whose roes a great quantity of *càvejaar* might be made.

Early notices of the Delaware. Great quantities of sturgeon.

"The land about here, and on the borders of the river, is very good; for the most part remarkably well adapted for the culture of corn, and other agricultural pursuits, and produces a great many kinds of fruits." It then speaks of the great beaver trade of the Schuylkill.²

Acrelius says: "In the spring of this year several parties came from New Amsterdam to settle here. It was then that the governor-general and council gave deeds of land—75 in all—till the end of August. These grounds were small;

Emigrants from New Amsterdam.

¹ Albany Records, vol. iv. pp. 222—225.

² Holl. Doc. vol. viii. pp. 32—50.

1656. greater part only lots in the town." Orders were given that 16 or 20 families should settle together for the sake of safety, which, however, was only observed about Fort Casimir. A yearly rent of 12 stivers for every morgen. Within the district of the Swedes no deeds were given at this time, but a tax of 5 or 6 gyllen laid on every family, agreeably to project of the schoute.¹

1657.

January 10.
Town meet-
ing to fix
prices of
skins.

A meeting of "the community" was summoned at Fort Casimir, at which it was stated "that some persons did not hesitate to spoil the trade with the Indians, by increasing already more than one-third the price of deer-skins, which price it is feared will continue to be heightened, to a great loss of the lower classes; whereas the inhabitants who must earn their living by their hands must pay a higher price for several articles than they can dispose of them for to others again. Whereas this inconvenience is the least, compared with the consequences to be apprehended from such a course, when in the spring the trade in beavers is again to be opened; in which case, the inhabitants residing in this neighbourhood may be utterly ruined: and many serious complaints have already been made to the commander, while nothing can yet be effected to avert, or provide for these evils—it is now proposed to the community that they will determine together on a price, which shall be adopted as a rule in trading; while the director and council promise that all such orders as they shall decree, provided they will give their assistance and superintendence, shall be promptly executed. On which the community resolve to adopt the following rules, and promised, by their signatures, on their honour and oath, to maintain them; not objecting to be considered perjured men if, in any respect, they betray their trust and violate these orders; and will forfeit the privilege of trading for a whole year; for second time, agreeably to orders; and for third time, finally of being expelled from the river. And they further pledge themselves, each for himself, if they become acquainted with similar transgressions, they will give information to whom the law shall direct.

Pledges, and
penalty of
offences.

Prices
agreed upon.

Prices agreed upon.—For a merchantable beaver, two fathoms of seawan.

¹ Acrelius, p. 420.

For a good bear's hide, to the value of a beaver, two fathoms. 1657.

For an elant's (moose) hide, to value of a beaver, two fathoms seawan, and so in proportion.

For a deer-skin, 120 seawan.

Those of foxes, ratclapan, hispan, and others, in proportion. Done in a general meeting in Fort Casimir, January 10, 1657. Signed, John Powel Jaquet, Andreas Hudde, Israel Allerton, Jeners Willem Mountsen, Alex'r Boyer, Thomas Broen, Galnet Haes, Jacob Crabbe, Harmen Jansen, and twenty-two or twenty-three others, whose names are recorded, of whom eleven or twelve made their marks.¹

A placard of the director-general complains of great abuses by the inhabitants running after the savages and detaining them, when they have articles for sale: and orders, "that in future, no persons shall go to the Indians, by land or by water, to trade with them, or offer them gifts, by sailing up and down the river; nor meet the Indians when they approach their dwellings, to hire and coax them, or call them in their houses; but permit them to use their pleasure:"—under penalty of the forfeiture of the furs thus obtained, besides arbitrary correction.

January 10.
Order respecting huckstering with the Indians.

Jacob Alricks, who had been sent by the burgomasters of Amsterdam as director of their new colony of New Amstel, was unfortunately shipwrecked off Long Island; he thus communicates to Stuyvesant the condition of himself and comrades, in a letter of which only fragments remain:—

"Whereas, the noble lords of the privileged West India Company, &c., agreed that the great and respectable lords, the burgomasters of the city of Amsterdam, should be permitted to establish a colony on South River, in New Netherlands, on which aforesaid lords burgomasters proposed certain conditions to all such persons as should be inclined to expatriate themselves hither as colonists, as may be seen by the annexed copy: on which terms several persons solicited permission to go thither, who consequently embarked, at the expense of the city, in different vessels: viz., ship Prince Mants, (Maurice,) about one hundred and twelve persons, besides sixteen of the crew, officers and sailors; thirty-three souls on the ship Bear; eleven on the expected ship, the Flower of Gelder; being together, one hundred and sixty-

March 12.
Letter of J. Alricks to P. Stuyvesant. Shipwreck of Prince Maurice on Long Island. Implying assistance from the director-general.

¹ Albany Records, vol. x. p. 458.

1657.

J. Alricks's
letter on
shipwreck of
Prince Mau-
rice, con-
tinued.

seven souls, who intend to make an establishment on aforesaid South River; and that they all, who, in behalf of the aforesaid city, should be intrusted with the direction of the aforesaid colony, should inform me before they arrived on the ship Prince Maurice at Manhattans, should convey their letters, instructions, and address to your honour, in behalf of the aforesaid colony. * * * *

“On which I, with one hundred and twenty-eight souls, embarked in ship Prince Maurice, we hoped and wished that we might have arrived at the Manhattans; but, unhappily, we struck the shore of a certain place opposite Long Island, Sickteewacky.¹ The crew were saved, and we are in hopes that we shall succeed with the largest part of the lading, if it please God; all which increases the difficulty, hardship, and labour, is, the increasing cold and freezing weather to which we must remain exposed, to avoid yet more severe losses. In the mean time, I am with the aforesaid persons, among whom about fifty soldiers, with their captain, Martin Krygier, and the lieutenant, D'Hinoyossa, (D'Jongren,) and further, the other persons here, in the greatest distress: and I ardently look to obtain means and opportunities, with some succour and aid for our safety, so that we may execute the plan of the lords directors and burgomasters aforesaid. But as the ship Prince Maurice was shipwrecked, and is in such a situation that it must be considered as lost, so that I am compelled to implore your honour's advice and assistance, humbly thereon, soliciting your honour will not delay in any manner. * *

“Except that your honour were thoroughly acquainted with this situation, and could inform me what you deemed best to do—as there is no time for us to spare—I must conclude, requesting that you will be so kind to accommodate all such persons as may arrive, and have arrived there in the ships Beaver and Flower of Gelder, in behalf and on account of the city of Amsterdam, in the most becoming manner, till further orders. I expect, meanwhile, your answer; with a small vessel, with a pilot and three or four other seafaring men, well acquainted with this place, to examine what might yet be saved from the ship.”

“Signed, J. ALRICKS.²

“Long Island, March 12, 1657.”

¹ “Near the present town of Islip, in South Bay, near Fire Island inlet.” O'Call. v. ii. p. 335. ² Albany Records, vol. xii. pp. 405—407, 415—417.

Alricks still remained with the wreck at Sicktewacky, Long Island. The director-general, who went there to render his advice and assistance, had departed for Manhattan. The wind was so unfavourable that the yacht Concord could not go to sea—the skipper was provided with a lading—the skipper Dirk Claessen declared he had only room for twenty ankers, which were then on board; asks the special attention to the property belonging to the city; learns by Captain Jacobs that the Beaver, Flower of Gelder, and the Bear had arrived at Manhattan, with fifty to fifty-five souls to settle in the colony of New Amstel; hopes the director will provide lodgings and victuals till the rest arrive, and transport them to South River in a convenient ship, with their goods; Jacob sails to-morrow with flour.”¹

1657.

March 20.

Prospects of Alricks at the wreck of the Prince Maurice.

Director Stuyvesant issues an order respecting the *pleasure-boat* of the late Gov. Printz, which, “he is informed,” is decaying, and nearly rotten where she now lies: he therefore permits Peter Meyer to make use of her for transporting letters; provided, that when required, he will satisfy the attorneys of the late Gov. Printz, and discharge Stuyvesant from the responsibility of the capitulation.²

March 26.

Pleasure-boat of Gov. Printz.

Isaac Allerton, senior, protests against Commander Jaquet, for a quantity of tobacco seized at New Amstel. A certificate of it, being a true copy, is signed by *Johanni Rysingh, junior*, probably a son of the late governor.³

April 6.

Protest against Jaquet. A son of Gov. Rysingh.

The proprietors of the new colony appear to be entering with spirit into plans for its increase and prosperity; accordingly they are sending out colonists, with all necessaries for their settlement. The vessels which accompanied Alricks, whose misfortune we have noticed, are soon to be followed by a vessel of war, bearing a minister of the gospel, of which Stuyvesant is advised in a letter from the directors, dated April 7.

“The city of Amsterdam,” they say, “or the commissioners who are appointed to, and entrusted with, the direction of the colony on the South River, have now in readiness the man-of-war, the “Balance,” which will sail within three or four weeks, with divers families and other free colonists. In this ship comes over a minister for said colony; and whereas said city does not spare any expenses, so it would afford us a high

April 7.

Ship Balance, with colonists and a minister, preparing for New Amstel.

¹ Albany Records, vol. xii. p. 409.

³ Ibid. p. 136.

² Ibid. vol. xv. p. 96.

1657. gratification that this enterprise, by every possible assistance, was encouraged, and said vessel provided with a valuable cargo on its return. Wherefore we recommend you to endeavour to secure its success: we have enclosed the list of passengers with the invoices of the private merchandise laden in the sloop Golden Mill. The attorney-general is directed to be on his guard when it is unloading."¹

The minister here spoken of was the Rev. Everardus Welius,² who died a few years afterwards.

Agreeably to the orders given, the transfer of Fort Casimir was this day made to the burgomasters of Amsterdam, in the following words:—

April 12. "I, Peter Stuyvesant, in behalf of the high and mighty lords, the States-general of New Netherlands, and lords directors of the privileged West India Company, Director-general of New Netherlands, &c., declare, that on this day, in conformity with the orders and letters of the directors dated December 19, 1656, I made a transfer and cession to the Hon. Jacob Alricks, and Commissary-general of their colony on South River, in New Netherlands, the Fortress Casimir, now named *New Amstel*, with all the lands dependant on it, in conformity with our first purchase from, and transfer by the natives to us, on the 19th July, 1651, beginning at the west side of the Minquas, or Christinakil, named in their language Suspencough, to the mouth of the bay or river included, named Bompjeshock, (Trees Corner,) in the Indian language Cannaresse, and this so far in the country as the limits of the Minquas land, with all the streams, kils, creeks, harbours, bays, and plains belonging to these; of all which lands, with all their appendages and dependencies, we now make a cession and transfer, in the name and behalf of the lords directors, patrons, to the aforesaid the Hon. Jacob Alricks, in behalf of the honourable burgomasters and rulers of the city of Amsterdam, making a cession of all our actual and real possessions, property, right, and privileges, and all this on such conditions as between the aforesaid directors, and the burgomasters and rulers of the city of Amsterdam, have been sanctioned; appointing therefore, in our place, and constituting the aforesaid Hon. Jacob Alricks in that quality, in behalf as before proprietor, in our place, without reserving to ourselves, in our former quality, any action or pretension;

Article of
cession of
Fort Casimir
to the bur-
gomasters of
Amsterdam.

New Am-
stel.

Bounds.

Alricks
commis-
sioned in
room of
director, &c.

¹ Albany Records, vol. iv. p. 237.

² O'Call. vol. ii. p. 336.

promising therefore to hold sacred this our transfer. In 1657. truth whereof, we have signed this, and confirmed it with our usual signature. Done in Fortress Amsterdam, New Netherlands, April 12, 1657.

P. STUYVESANT.

“NICOLAS DE SILLE.

“PETER TONNEMAN.”¹

Shortly after, the “Gilded Beaver” was engaged to take the new director Alricks to New Amstel, the future seat of his government, with the goods, and colonists amounting to 125, including about 76 women and children; or, according to Van Sweringen, who was supercargo, “180 souls,” 60 being soldiers.² They reached their place of destination after a passage of five days, and took possession about the 21st or 25th of April. Thus terminating the government of Director Jacquet, so far as the city’s colony is concerned.

Departure of
Alricks for
New Amstel.

In consequence of various complaints against Commander Jacquet, the director-general finds it necessary to remove him from office. This he does in the following document, which differs much from the instruments used for such purposes at the present day, as it furnishes the reasons for it, and, at the same time, manifests some sympathy. It is entitled—

“Further orders to the Commander Jacquet, by which he April 20.
is removed from office.

“Honourable, beloved, faithful:—

“In our last letter, which we sent by the Hon. Alricks, we left it to your choice to continue there in your office. Since that time, we have received so many complaints, all proved in writing, of your delaying, if not actually declining to administer justice, and obstructing legal arrests; of arbitrary executions on your own authority, without the shadow of any legal process, and really by acts of violence; in taking possession of lands, and cultivating those which we did grant to other persons: and many other unbecoming extravagancies towards different individuals, as well freemen as ministers of the company. That the hearing alone (and what effect would a detailed narrative have on our mind?) causes us a deep regret, and creates no less unpleasing apprehensions; and although we were even yet fostering the hope that the aforesaid complaints about an overbearing and outrageous conduct would have been removed on our serious ad-

Charges
against Jac-
quet, and or-
der for his
discharge as
commander.

¹ Albany Records, vol. xv. pp. 124—125. ² Lond. Doc. vol. iv. p. 173.

1657. monitions and warnings, and at least have been remedied in part, so do we see this hope de novo frustrated; as the last written complaints of Jan Schaggen, Allerton, and others, cannot be palliated, much less defended. Wherefore, we are with regret compelled to advise you to prepare your defence against their criminations, as we in the meanwhile discharge you from your office, commanding you to deliver all the effects of the company, with a correct inventory, to Andreas Hudde, Jan Juriansen, and the sergeant, Paulus Jansen, under a legal receipt, of which they shall take two copies, sending us first the one, and then the other. On which confiding, we will, with the usual salutations, recommend you to God's protection, and remain,

Jacquet's
dismissal.

Hon. beloved, faithful,

"Your affectionate,

"PETER STUYVESANT.²

"Done in Fortress Amsterdam, in New Netherlands, April 20, 1657."

After his discharge from office, various complaints are made against him, and the matter taken into court. See June.

April 24.

M. Krygier
sent to
South River,
with Derck
Smith as
guide, to re-
ceive goods,
&c., from
Jacquet.
Instruc-
tions.

Captain Martin Krygier was appointed by Stuyvesant to proceed overland to New Amstel, to receive from Jacquet the effects of the company. Krygier asks for ensign Derck Smith as a guide, he having passed the road several times; which, the director "deeming it necessary and good that the delivery and transfer should be made in the presence of Smith, as he had delivered them to Jacquet," grants: and Smith is accordingly instructed "to leave the city with Krygier and others, and conduct them to South River, to New Amstel; obtain every information from Jacquet about the effects, especially the ammunition and stock remaining, and how the rest had been disposed of; when an inventory is taken in his and H. Huygens's presence, to transport to Fort Christina, now Altona, as much of the ammunition, victuals, and materials, as may be required there. Among others, a double number of swords and fire arms for twenty persons, and good materials in proportion. They are to be left there, upon their receipt, with Hudde, Jansen, and Juriansen. The rest of the effects to be shipped on the "Beaver," or left in custody of Hon. J. Alricks, or his commissary, till further orders. The remaining stock of the company to be transported over to Christinakil, and left there in custody as before. All this

April 25.

¹ Albany Records, vol. xv. pp. 138—139.

being done, Smith may return in the Beaver, with the rest of the soldiers, or by land, leaving only sixteen military, with the substitutes, in Fort Christina. He is to treat commander Jacquet with all courtesy, and give him no reason of complaint; but inquire of him and others, after the goods missing, and placed on inventory; so also of the stock, and render a true account."¹ 1657.

In a fragment of a letter from Alricks, at New Amstel, he says he is informed of the complaint of Allerton and Schaggen against Jacquet; that he has examined it, and "thinks it more passion than reason"—has terminated it. Schaggen keeps the land, Jacquet the produce of it and the garden; the effects inventoried by Jacquet, even the smallest matters, received; a few necessary articles conveyed to Christina, others laden with ship Love for Manhattan, and thirteen men, all provided with victuals. He, Alricks, wants oxen and horses to carry wood, and repair the fort at the strand, which is fast decaying, with several other places; much wood will be required; the cattle are weak; only two cows give milk; there are only a few hogs; a few soldiers have applied themselves to agriculture, and settled in the country, and deserve not to be ejected. He speaks of a daughter.²

May 8.
Charges
against Jac-
quet settled.
State of
things at
New Amstel.
Fort decay-
ing.

Alricks says he has taken a survey of the "Plocks"? and nations in this vicinity, and discovered these by examination to be twelve in number; * * * wishes to make them a present in remembrance of his arrival; several soldiers are expected; proposes to director-general to appoint Gerrit Van Sweringen, "as there is actually no commissary here who can take care of the rights of the company, on the arrival of wares and merchandise."³

May 28.
Nations in
vicinity of
New Amstel.
No commis-
sary. Van
Sweringen
proposed.

N. De Sille, attorney-general, in consequence of various complaints, as well by mouth as writing, by commissaries, inhabitants, officers, and soldiers, as well as of the Swedish nation, all under your honour's government, "made with respect to J. Paul Jacquet, your honour's late commander in South River, who in every respect conducts himself there in a very uncourteous manner, vexed the community, tyrannized over the inhabitants, and made the soldiers' lot nearly insufferable, requests, *nomine officii*, permission of director-general to arrest Jacquet." The director answers "the suppliant to

May 23.
Various
charges
against Jac-
quet by at-
torney-gene-
ral. His ar-
rest.

¹ Albany Records, vol. xv. pp. 149—151. ² Ibid. vol. xii. pp. 412—413.

³ Ibid. vol. xii. pp. 415—416.

1657. make careful inquiry into all the complaints, and meanwhile allot the commissary's office to the person of Jacquet, for his residence, to make up his accounts; and at same time arrange the complaints against him in order, and deliver them to director-general and council to be properly disposed of."

May 24.
Jacquet complains of arrest, and asks for the reasons.

Jacquet complains of being under arrest by the attorney-general; asks the reasons for it; finds himself in great trouble; wants a copy of the petition of the attorney-general under which the arrest was made, together with one of the causes of impeachment which he "presumes to bring against me, so that I may defend myself;" to which the attorney-general answers, "as plaintiff, *ratione officii*."¹

June 12.
Swedes to live in villages.

Gregorius Van Dyck, sheriff, appointed by the Swedes, who it appears were still governed in part by their own officers, presents his credentials and instructions to the director-general and council, dated 20th May last, on South River. He appears before them, and his petition is read, "setting forth the necessity of concentration as soon as possible." Council authorize the sheriff, and appointed commissaries, and command them to concentrate their houses, and place them in future in the form of a village or villages, either at Upland, Passyunk, Finland, Kinsessing, at the Verdietigehoeck, (the Doleful Corner,) or at such place as they may deem most convenient to their purpose, provided they previously notify the directors when they select any other spots than here specified.

Jurgin, court messenger and provost.

The director-general and council approve of "one Jurgin, the Finn, on the *Crooked-kill*, as court messenger, to administer the office of provost, provided he comes to New Amsterdam for his salary."

Complaint against Jacquet.
Cattle scarce.

The farmers complain against Jacquet.

As cattle are yet few, they cannot be located on one-half increase, which appears to have been a principle heretofore adopted.

June 14.
Abbe Claes in service of Printz, Pappogoya and Rysingh.

One Abbe Claes renders an account, which he requests to be paid him from the property left by the honourable John Rysingh, "considering that he wants it very much, as he has nothing in his old age to live upon." It appears it was for services after he closed his account with Governor Printz and H. Huygen, September 1, 1653, up to September 1, 1655; he received money after Printz's departure, from the

¹ Albany Records, vol. xv. p. 187.

commander, John Pappegoya, and after the departure of Rysingh.¹ He had lost a hand in the service. Ordered to be paid. Huygen certifies to his faithful services. It is ordered to be paid when in funds, and charged to "Swedish company's effects at settlement of accounts." 1657.

Isaiah Mesa, a Jew, remonstrates, "that he found himself aggrieved by a sentence of 14th April last, pronounced by the vice-director on the South River, New Netherland, J. P. Jacquet, and council, relative to a dispute between him and some of the Swedes; desires to appeal; granted, "provided he makes, *as usual*, a deposit of 12 guilders, which being performed, he is commanded, as the sheriff of the Swedes is, on his departure, to deliver his conclusion within twenty-four hours, to enable us to give a decision."² June 12. A Jew complains against Jacquet and company

Jacquet appears before council; a compilation of complaints is read; he asks a copy, which the director-general is directed to furnish.³ Jacquet appears before council.

Jacquet appears in court; "he was told that it was said he first violated the arrest which was laid on tobacco of Niels Swarsen, which he denied, but said Jacob Swenske did, who carried his tobacco from there 21st December, and Jacquet not till 2d January following. G. Van Dyck, sheriff on South River, being in court, demands a copy of Jacquet's charge against Swenske, which was ordered. An answer in writing presented by Jacquet; attorney-general rejects it, and says he must answer "*ilico* on the accusations, or return to his arrest."⁴ June 18. Appears before court. Makes a charge; is called on for a copy of it.

From a letter of this date, from Alricks to Stuyvesant, some particulars are learned respecting A. Hudde, who had been for several years connected with the affairs of the Dutch company. It appears "he unexpectedly married again, and regained his former confidence. He had been before somewhat dejected and low spirited, that others were joined with him in the same commission, and seemed apprehensive that ere long he might be set aside, as here was received a schedule that he was not much longer to be respected, and that every thing was referred to the sergeant and clerk; on which occasion, and at his earnest request, I recommended to your honour his petition for his dismissal; but as he is an old servant of the company, residing here, whom, when dis- August 10. Second marriage of Hudde. His dejection and employment. Appeal of Alricks in his behalf.

¹ Albany Records, vol. xv. Ibid. p. 218.

³ Ibid. p. 216.

² Ibid. p. 202.

⁴ Ibid. p. 220.

1657. charged from the company's service, in the same quality as he was before provisionally, on the same wages, board, and in the same quality, engaged in the service of the city, provided he would act at the same time as under-sheriff, on the fees which in that office he may recover, without any other charge on my principals, till otherwise should be disposed of it by our lords and masters."¹

August 10.
Murder of L.
Hansen by a
savage.
Some arti-
cles stolen
were reco-
vered.

J. Alricks further speaks of Laurens Hansen, "captain des armes, from Christina, now Altona," who went with Alexander Boyer "on a trading expedition for their principals," to the Minquas, in consequence of permission granted, and was "murdered by a savage, and robbed of some seawan, and a few other articles which he had with him." A short time afterwards, "a Minquas savage, who ruled as a chief in the next fort from here, in the country of the Minquas, came with other savages in our colony, bringing with him some of the seawan, and some other articles taken from the savage who perpetrated the deed." This seawan was "sealed up before witnesses, and consigned to Hudde, *ad opus jus habendum*," in order to obtain time to give notice to the director, as it belonged to Hansen, one of the garrison of Fort Altona. He requests the director to inform him how to dispose of it.²

August 21.
Arrival of
the Balance
and a yacht.

The "Balance," with galliot "New Amstel," arrived safely, though the former was in great danger near Cape Henlopen, where she experienced several very severe shocks, so that the crew became greatly alarmed. She is to go to New Netherland. Fifty to sixty lasts of *clapboards* are ready for her.³

Number of
houses and
improve-
ments in
New Amstel.

"Every preparation was made to render the settlement both orderly and secure; lots were conceded to the colonists, a magazine erected, the fort repaired, a guard-house, bake-house, and forge built, together with residences for the clergyman, and other public officers, a city hall for the burghers, a building or log-house, two stories high and 20 feet square; a square enclosed the public buildings. At the end of the first year, New Amstel was a goodly town of about 100 houses.⁴

Mode of go-
vernment in
New Amstel.

Alricks, in one of his letters, thus speaks of the government of New Amstel, before and after his arrival: "I found the government to consist of a military council over the sol-

¹ Albany Records, vol. xii. p. 424—425.

² Ibid.

³ Ibid. vol. iv. pp. 237, 247; vol. xii. pp. 405—411, 419, 448, 449; vol. xv. p. 124.

⁴ Holl. Doc. vol. xv. pp. 12, 213, 225, 227—231, 233, 252; vol. xvi. pp. 196, 200; from O'Call. vol. ii. p. 337.

diers, who were here of old. The differences between the old settlers, who consisted of about twelve or thirteen families, were decided by the commander and two persons acting as schepens, and a secretary appointed from among the inhabitants, by the general, on the part of the West India Company. These expressed a desire, now that the place had changed hands, that a burgher-like government should be continued, according to the conditions, as it was under the director-general and the West India Company; so it was, and they continued to decide all differences between burgher and burgher. All affairs appertaining to the city and military matters were disposed of by me and the council, and differences between the city's servants, soldiers, trainsbands and freemen, until the arrival of the Balance, (this day,) when seven city councillors were elected, and from them three new schepens were chosen; another secretary and schout were also appointed, two elders and two deacons, for the management of church affairs."¹

1657.

Salt-works are referred to, at which ships stop and take in the rest of their lading. The "Weigh-scales" may take 150 vats. Vessels may reach there in a day from New Amstel.

Sept. 16.
Salt-works,
bricks, &c.

Bricks or stones for chimneys are wanted; they appear to have been made at, and brought from Fort Orange. Captain De Raet sailed this night upwards to the Schuylkill.²

Complaints are made against Alricks, for using the company's oxen and negroes.

Sept. 15.
Alricks com-
plained of.
Emigration
from Fort
Amsterdam
small.

The directors express themselves pleased that so few are disposed to go from Fort Amsterdam to South River; they hope it may so continue; no force to be used.³

Great sickness (a fever) prevails at New Amstel. Alricks, his wife, and three or four children sick; scarcely a family exempted; no deaths as yet.

October 28.
Great sick-
ness.

Three persons arrive with about forty cows. Alricks being in great want, purchases them at 128 to 130 guilders per head. He wants a "ross-mill for breaking corn."⁴

Cows.

Two boats, with 14 Englishmen, ran on shore at Haverkill. Captain Flanning is sent to save them; he lost an anchor, and did not succeed. Michael was then sent, who ran- somed six from the savages, and brought them to New Amstel.

Two boats
cast away.
English.

¹ Holl. Doc. quoted in note by O'Call. vol. ii. p. 337.

² Albany Records, vol. xii. p. 437.

³ Ibid. vol. iv. p. 249.

⁴ Ibid. vol. xii. p. 437.

1657. As Alricks immediately sent information to the governor of Virginia, it is probable they belonged there.¹

Dec. 15.

Frauds attempted. Warning against issued by director-general and council.

The director-general and council issue a "warning," having been informed by different merchants and inhabitants of the city of Amsterdam, and the village of Beaverwyck, through petitions, "that they long ago furnished different inhabitants on South River, in the neighbourhood of their former forts Nassau and Casimir, with several cargoes, for the payment of which the majority of the inhabitants mortgaged their lands, houses, and all their real property. Said debtors, by removing to the colony of New Amstel, endeavour to sell and alienate, to defraud their creditors, which is against all law and justice; therefore all such sales and transfers made without consent of creditors, are null and void; purchasers are warned not to make any payment on such purchases, unless a formal notification is made previously of their intention, under penalty of being compelled to pay it a second time to the creditors, unless done in the presence or with the consent of the concerned."²

Alricks represents forts in bad condition.

Dissatisfaction expressed against Alricks. He vindicates himself.

Alricks, in a letter to Stuyvesant, represents Fort Amstel in a sad condition, the expenses heavy, means gone; fort and several buildings much damaged; no magazine to save victuals; walls and fortifications crumbled down, as easy to pass them as through the gate; another gate required, to make "some outward appearance of defence." He says of Christina, that "75 men should go to Fort Christina, now Altona; for a long time no garrison has been there, and as it was rather decaying, and they knew not what to do, either in regard to their lodgings or victuals; they found indeed, at first, enough to do in the beginning, when struggling with so many difficulties, to save and provide for themselves, as they had no employment for their stock, and not desiring to take care of them, much less that they should be solicited further, so no representation in this respect took place, but they solicited that I would from time to time provide the garrison with bread, and also now and then some peas, oil, and other articles of which they were in want. I never refused. I cannot guess what reasons for discontent they might have, and on what ground they could make any written complaint about my past transactions with them. I cannot discover that I have ever given them any reasons for offence, or that I per-

¹ Albany Records, vol. xii. p. 437.

² Ibid. vol. vii. p. 406.

formed any thing against their will and desire. But what has been reported by Ensign Smith and Henry Huygen, on this I shall only say, in a few words, with regard to the ensign, he says often more than he well understands, and often wished he had used fewer words in my lodgings to my servants, but nevertheless I passed it by, and never have given any offence either to him or Van Huygen."¹ 1657.

"The Delaware was frozen over in one night, so that a deer could run over it, which the Indians relate had not happened in the memory of man."² Delaware frozen in one night.

1658.

The galliot remained at the kill all winter, but is now at Altona for the nutwood (hickory) which was chopped by Stuyvesant's orders, and is going to Tinnicum for rye straw. Three hundred planks are wanted at New Amstel, for the garret in the magazine, with lodgings of the commissary, with the house in the fort wherein Alricks resides, of which only one-third part is furnished, with a garret and one room; a new guard-house is wanted, as the old one is entirely decayed. There is no carpenter there.³ March 18. Articles of trade. Nutwood; rye straw. Decayed condition of the fort, and want of accommodations.

With respect to the distribution of lots, Alricks says, "at first after my arrival, eight or more days passed by before I could effect any thing about it, as there was scarce a single lot which could be freely disposed of, as one or another made some claim upon it; this made it necessary to collect information, when at last, on the petition of Jacob Elder, it was resolved to distribute all these lots, so that they should draw for them. When the 'Weigh-scales' arrived, I authorized the late Fabreck Spelen and A. Hudde to act in the same manner. On my arrival, and not before, the lieutenant, D'Hinoyossa, assisted at the drawing, so that to him again, at the arrival of the ship, and the schepen, Rademan, the disposition and distribution of the lots were referred, and by them accepted. Mr. A. Hudde, with a carpenter, Breant, surveyed in June last, as much land as he desired, and actually received, as is evident from the signature of each individual, yet in my possession. This was done as well to the colonists as to the officers and soldiers. * * * Scarce one of the men here had a dwelling-house for their residence, Distribution of the lots at New Amstel by lot.

¹ Albany Records, vol. xii. pp. 417—423.

² Campanius, p. 55.

³ Alricks's Letters, in Albany Records, vol. iv. p. 285, &c.

1658. or is now engaged in constructing one, as there were only four or five carpenters here, whom I was compelled to employ, and they were usually poor workmen, without experience or ingenuity, and what they are able to effect is of very little consequence; they who cannot pay must labour for themselves alone, without any assistance, and consequently make very slow progress. The prevailing sickness and hot fevers threw us considerably back, and made many linger; there were neither stables nor hay; nevertheless, as a few heads of cattle arrived from Virginia, our hope is somewhat revived."¹
- Condition of things at New Amstel. Want of carpenters. Great sickness. Discouraging prospects.
- March 30. Fast day at both forts. The proclaimed thank, fast, and prayer day was celebrated on the 13th, and on the following day in the same manner, by the Rev. Welius, who by the commissary at Altona was desired to deliver a sermon there for the same end, which was done. "I fear, nevertheless, a scarcity of victuals."²
- April 20. Affairs on South River deranged. Smuggling common. The director-general suggests to council that the affairs on South River required to be examined into, and that some changes in their management were necessary, many irregularities having been introduced, owing probably to the removal of Jacquet. It was requisite "that the rights of the company ought to be maintained, particularly in collecting the recognitions from imports and exports, as he was advised by letter of great frauds by merchants of this city, and others on South River; that those who do not pay could sell cheaper than those who do. That several persons of New Amstel colony asked permission to settle near Fortress Altona, in the company's district, there to begin plantations. Some regulations were necessary also among the Swedes." The council therefore advise that the director-general and the honourable Peter Tonneman should proceed to the Delaware, and place matters in a proper train.³
- Persons wish to settle near Altona. Swedes to be regulated. Director-general, &c. to go to Delaware.
- April 30. Saw and grist mills. Joost Andriansen & Co. propose to build a saw and grist-mill below the *Turtle* falls, the site for which they obtained from the provisional commissary; they ask a patent for it, which is granted by the director-general, on condition that they charge no more for grinding than is paid at the company's mill.⁴
- May 8. Director arrived. The director-general and Mr. Tonneman having arrived at South River, the Swedish sheriff, Gregorius Van Dyck, Oloff Stille, Mathys Hanson, Pieter Rambo, and Pieter Cock, ma-

¹ Alricks's Letters, in Albany Records, vol. iv. pp. 285, &c.² Ibid.³ Albany Records, vol. xiv. 227—228.⁴ Ibid. p. 250.

gistrates, Swen Schute, captain, Andries D'Albo, lieutenant, and Jacob Swensen, ensign, met him at Tinnicum, and presented their petition for various privileges, as will appear from the following summary. They renewed their allegiance, by taking the subjoined oath, as all others were required to do. 1658.

For executions, they ask a court messenger. Director says the jailer can perform this duty, as he is now employed by the sheriff and commissioners to make summons, arrests, and executions. Ask for court messenger.

They ask for free access to the soldiers of Altona, in case they wish their aid for execution of resolves. The provisional commissary is commanded to furnish them, if solicited by the sheriff. For soldiers from Fort Altona.

They ask that no person shall leave their limits without the knowledge of the magistrates, much less male and female servants; that when they leave without a discharge, or try to run off, they may be arrested. Director orders that no person shall leave without consent of commissary, but first obtained of director-general and council, as usual in New Netherland; and if any Swede departs, sheriff to order him to return, and in case of refusal, to arrest him, and inform the director. Regulations for fugitives.

Some subsidies are required; sheriff and commissary to inquire "where they can be obtained with the least incumbrance for the Swedish nation, our good and faithful subjects, whom we promise that we cordially desire to favour as much as any of our own nation, on the oath which they voluntarily took, and which must yet be taken by those who have not, viz. We promise and swear in presence of Almighty God, that we will be loyal and faithful to the high and mighty lords the States-General of New Netherland, and lords directors of the general privileged West India Company, with director-general and council already appointed, or in time being, and will remain and show them honour, respect, and obedience, as good and honest subjects ought to do, as long as we remain in this New Netherland province, so truly help us God Almighty."¹ Subsidies requested.

The director, on his return to Manhattan from South River, May 13, reports "many things there not as they ought to be, chiefly smuggling and fraud on the company's recognitions on goods imported from Holland, many articles not having the Form of oath. May 15. Stuyvesant returned to Manhattan.

¹ Albany Records, vol. xiv. p. 249.

1658. company's mark being shipped in late vessels, without precaution taken against it, as with a case of 36 guns from the man-of-war *Weigh-scales*, embarked by the brother of Dr. Welius, which were distributed by Alricks among the community."

Oath omits mentioning directors.

2. He is surprised at the oath taken by Alricks from newly arrived settlers, entirely omitting the directors of the company, and director-general and council in New Netherland. Alricks promised to alter it.

Appeal from a sentence.

3. Vanderlis and one N. Ring, being aggrieved by a sentence, intended to appeal, and requested the secretary to enter the appeal, which he declined doing.

Swedes ask to be neutral in case of war.

4. The Swedes, after taking the oath on South River, demanded that they might be permitted, if there arose a difference between the crown of Sweden and our state in Europe, not to side with one or the other party, but remain neutral and quiet, to which the director-general consented.

Lots laid out near Altona.

5. He had laid out a few lots near Fort Altona, some 30 feet, the double of 60 feet broad, 100 feet deep, on condition that two buildings should be erected; if the first proprietors failed to build, their lots to be disposed of to others; the first proprietor may demand 100 guilders for fencing, &c.

Election of officers.

6. Officers elected over the Swedes—Captain Swen Schute, Lieutenant Andries D'Albo, Ensign Jacob Swensen.¹

May 17.

Alricks seems to be sensible that the director-general, during his late visit, had not been entertained as became his rank, and writes him, after his return home, the following apologetical letter:

Apology of Alricks to Stuyvesant, for not treating him in better style.

"After your departure from here, I hope that your return home may have been easy and prosperous, and that you met your family in the same happy situation. I solicit now and trust that your honour will excuse our moderate reception, as it was not in our power, in our distressed situation, to contribute any thing further to your comfort, and I beg you will take our good-will for the deed. If our situation improves, then we will endeavour to acquit ourselves of our duty towards you, and, if possible, cancel our debts."²

May 28.

It will be recollected that two boats, with a number of Englishmen from Virginia, were cast away on Cape Henlopen, and a part of them ransomed by Alricks. It appears by a letter of this date to P. Stuyvesant, and in one of a later

¹ Albany Records, vol. xiv. p. 245.

² Ibid. vol. xii. p. 456.

date from the directors in Amsterdam, that they view this transaction with a jealous eye, and fear that it is only a scheme of the English to get possession of this part of the river; to prevent which they afterwards direct a purchase to be made. 1658.

In the first letter they say, "two boats, with 14 English, arrived near Cape Henlopen, and were taken by savages, ransomed by Director Alricks, and settled in the city's colony; from which it is apprehended, that if said English remain there, and increase in number, said nation, which at present, although without sufficient grounds, claim the said river, with adjacent country, will endeavour to intrude upon us there, and dwell on said spot, as they before tried it from the side of New England, and become its usurpers on the first favourable opportunity; whereon it is resolved, that to prevent this, the director-general, Stuyvesant, shall be authorized and recommended to be on his guard, and take care that Director Alricks be instructed that said persons, who are represented as fugitives, if they, without a willing consent and act of their governor in Virginia, left that colony, be again conducted thither; or if they are free persons, to disentangle himself from them in the best manner possible, without giving them any offence; at all events not to admit any English beside them in that vicinity, much less to allure them by any means whatever."¹

Apprehensions in Amsterdam respecting the English. Instructions to Stuyvesant respecting his conduct towards them.

Michael Baukhuysen, "*adelborst*" in the colony of Director Alricks, complains that he was engaged on South River as jailer, (captain geweldiger,) but that he is employed by the sheriff as the meanest servant; prays that a mandamus may issue to Alricks, commanding that Alricks ask of him no other services than those of *adelborst*, or discharge him. Answer—the suppliant must previously address himself to his competent superiors.²

May 28.

A person complains of oppression.

The directors in Amsterdam, fearing the English designed to make a purchase of the lands below Bombay Hook, direct Stuyvesant to anticipate them. They view the affair of the boat and crew as a deception.

"We have been informed by the commissioners appointed for the direction of the colony of this city in New Netherland, that the burgomasters were inclined to take possession of a tract of land called the *Whorekill*, and situated in the June 7.

¹ Albany Records, vol. viii. p. 185.

² Ibid. vol. xiv. p. 392.

1658. bay of South River, at its west side, (on which bay they intended to place some buoys for the security of the vessels which arrive on that coast,) they requested us that we should purchase, on our own account, said tract of land, beginning at Cape Henlopen till Boomtjies-hook inclusive, and make then a legal transfer of it to their director. It was further their intention to construct a redoubt for its defence. As this undertaking cannot but promote the interest of the company, and procure an additional security to its possessions, so would we not delay in recommending that you would exert yourself to obtain the possession of this tract as soon as possible, and if it is not done before, to purchase it from the original owners, from whom a written transfer, with usual formalities, must be obtained, that afterwards your honour may transfer it again in due form to the director of said colony. You will perceive that speed is required, if for nothing else, that we may prevent other nations, and principally our English neighbours, as we really apprehend that this identical spot has attracted their notice; because we have been informed that lately two boats, with Englishmen from the Virginias, were seen near the Cape Henlopen, and thereabout were driven on shore, when the crew was taken prisoners by the savages. When they were ransomed by the director, Alricks, they pretended to be fugitives, perhaps to remove from their governor the suspicion that they had been acting under his direction; while we are further informed that the director, Alricks, consented that a few English families might settle there; and when we reflect on the insufferable procedure of that nation, not only by intruding themselves upon our possessions about the north, of which our title is indisputable, and when we consider the bold arrogance and faithlessness of those who are residing within our own jurisdiction, then we cannot expect any good from that quarter; and therefore recommend you to pay a particular attention that you become duly informed what number of families have actually settled there, and that you warn the director, Alricks, of the disastrous consequences of placing too great a confidence in them, with all possible courtesy. Do not omit to advise us, in time, of the true state of affairs, that we may take such measures as may be required. Amsterdam, June 7, 1658.”¹

Order to
purchase
lands from
Cape Henlo-
pen to Bom-
bay Hook.
Afraid of the
English do-
ing it.
Propose
placing
buoys in the
river.

¹ Albany Records, vol. iv. pp. 273—274.

An order for a purchase of land, it will be recollected, was given in 1656, somewhat similar to this. 1658.

It was usual for vessels from Amsterdam, bound to South River, first to touch at Manhattan, unless special permission to the contrary was granted by the directors, as was done in the following instance by the directors in Amsterdam :

"Whereas Barent Jochemsen, skipper on the vessel 'The Gilded Mill,' chiefly freighted by this city to transport colonists and freemen, wishes to sail directly to South River, and solicited us to grant him this request ; we deemed it becoming to acquiesce in the proposal, wherefore if he might *not stop at the Manhattan, as is the letter of the usual formulary in the contract with private skippers*, we desire that he may not, on his return, be troubled or molested for this reason."¹

The following extracts from letters of Alricks, show the prevalence of sickness, and deaths among them : September.

New Amstel, and the surrounding country, suffered much from sickness, as well as other causes. Alricks writes, that "our actual situation, which is certainly very distressing by an ardent prevailing fever, and other diseases, by which the large majority of the inhabitants are oppressed and broken down, besides that our 'barber' (surgeon) died, and another, well acquainted with his profession, is very sick." Great sickness. Many deaths.

"But few old people died, but a great number of young children, who could not stand it. Six of us fell sick. The members of the council, Hinoyossa and Rynvelt, with the sheriff and all the schepens, had a very severe attack, and the greatest part remain yet bedridden, but I hope they may ere long recover, as the sickness now begins somewhat to abate." Besides this, "Christian Barents, who was to make the ross-mill, has died. In great distress for bread and corn." (August 9, September 5, October 7.)

The ship Mill arrived with 108 souls ; ten to eleven died on board, owing to the long voyage, from scurvy, and three more since arrival. They were in want of water. No cooking took place for several days. September.
Ship Mill arrives.
Deaths from her.

"Died here, Commissary Abraham Rynvelt, and left by will his estate to Commissary Van Sweringen. Also died, Anthony Merman, so that here the generally prevailing sickness has taken off several of our respectable inhabitants, besides other persons, but chiefly young ones or children ; October 28.
Death of Commissary Rynvelt, &c.

¹ Albany Records, vol. iv. p. 278.

1658. besides, many are yet lingering and bedridden, and who can slowly recover their former health and strength. Muskets rusty and want cleaning."¹ Complains of smuggling, and proposes a watch of three or four soldiers.

October 28. The director-general and council "wanting, for the administration and promotion of the company's and our own affairs on South River, an expert and respectable person to command there in our absence, as vice-director and commissary, and direct the whole for the best of the company, placing unbounded confidence in the abilities, honesty, and experience of William Beekman, schepen and elder in the city of New Amsterdam, have appointed him as our commissary and vice-director, to administer and take care, during our absence, of the aforesaid country, of the fortresses, the militia and freemen, issue good orders, and make those well respected and fairly executed; to administer justice, according to his best knowledge and judgment, as well civil as criminal and military affairs, according to instruction. All to obey him as such, especially the present provisional commissary."

Salary. His salary and boarding same as the late commissary Jacquet, viz. 50 guilders per month, and 200 guilders per annum for board, in conformity to resolution, July 30.²

Oath. He took the oath of office³ on the same day, in which he promises to be loyal and faithful, to administer justice, to maintain the reformed religion as it is preached in "Fatherland" and here, in conformity to the word of God, and the Synod of Dordrecht, and promote it as much as in his power; do every thing for security and defence of the government, and conform in every respect to instructions, of which the following is a summary:

Instructions. When arrived at South River, as the company reserved His residence. neither house nor lot, he is at first, and provisionally, to take his lodgings in the dwelling-house in *Fortress Altona*; but as he ought generally, and especially on the arrival of vessels, to have his permanent residence at or near New Amstel, he must, as soon as possible, procure convenient rooms or a dwelling, and hire for a year at expense of company.

On the arrival of any vessels or yachts of any nation, or

¹ Albany Records, vol. xii. pp. 467—476.

² Ibid. vol. xiv. p. 314. By this resolution it appears that then Mr. Beekman was commissioned as commissary at this salary, which Jacquet also enjoyed.

³ Recorded on page 388.

at least before their unloading, to be in or near Fort New Amstel, attend carefully to their loading and unloading, and in no manner permit any goods or merchandises to be laden or unladen, or embarked in other vessels, without examination and certainty that the recognitions have been paid from those in Fatherland or here at the commissary's office, or that the company be not defrauded of revenue.

1658.

His duties.

To secure this, and prevent smuggling, he is to have all the time a guard of the company there, under his orders or those of a sergeant, or some other officer of the company.

To have a guard.

In case of discovery of contraband, he is to act as auditor, and seize them, in conformity to placards of director-general and council of New Amstel, prosecute the smugglers, &c. provisionally, till further orders, before the council there, whose judgment he shall demand. From their decision he may appeal to Manhattans.

With respect to smuggled goods.

He is to have a share of all smuggled and confiscated goods which by his industry and diligence have been discovered, as also of all fines, at the judgment and discretion of director-general and council, to whom the goods are to be sent by first opportunity, or an account of them.

His share of them.

He is provisionally invested with all the powers of the company on the river, except the district of New Amstel, with regard to all the ministers and servants of the company, who shall support him in his office, order all freemen of whatever nation, keep the first under good order and discipline, and to the second maintain and administer good justice, both in civil and military affairs, and in criminal cases of minor grade, all in conformity to former instructions, either to late commissary or to the Swedish nation, or as future circumstances may require; shall employ the sheriff and commissaries already appointed, or which had previously been appointed over the Swedish nation.

Has all power of the company, except at New Amstel.

"Whereas it had pleased the lords directors to extend the limits of the colony of the city of Amsterdam, upon request of the commissaries, and to favour it with the tract of land named Bompjes hoeck, (Trees Corner,) from there to the south to Cape Henlopen, and consequently authorized us to purchase aforesaid land from the original proprietors, and thus is he particularly commanded to act in concert with, and solicit the advice of, the honourable Jacob Alricks, or any other who shall be qualified by him for that purpose, to be-

Respecting the purchase of lands.

1658.

Fortifica-
tions.

come well informed who the real proprietors are of aforesaid lands, to hear and weigh their pretensions, and if their demands are reasonable, to enter with them into an agreement about it, or otherwise inform us about it; and if the aforesaid honourable Alricks might feel himself inclined, and has an opportunity, to erect, before winter sets in, *some fortifications in the neighbourhood of Cape Henlopen*, or about the Hoernkill, or to make any buildings there, then he ought to be specially authorized and commanded to make first a purchase of the land which he should want, of which then as soon as we are informed of the situation and extent, a deed shall be prepared."

Take inven-
tory.

"Directly on arrival, prepare correct inventory of all the effects of the company; also a correct list of all the horses and cattle formerly belonging to the Swedish officers, how many at first, and what became of them.

Examine
guns and
fortifica-
tions.

Examine into quantity and quality of the guns in the fortress of New Amstel, especially their weight; also what other materials were received by Alricks from the company, on behalf of the city."

Beekman's
letters.

A voluminous correspondence of Beekman has fortunately been preserved among the Albany Records. As they furnish almost the only history of that period, and enter into details of many circumstances as they occurred, and are indeed chiefly official communications to Stuyvesant, we shall rely much upon extracts from them for that portion of our work.

1659.

January 6.
Alricks loses
his wife.
Further do-
tails of dis-
tress.

About this time Alricks lost his wife, by the prevailing sickness, and appears to be in great affliction in consequence of it and other causes. He says, "winter early, long, and unexpected, caused great distress; the previously long continued rain prevented the collection of fodder for the creatures, and continued sickness curbed us so far down that all the labour in the field and agriculture was abandoned; the guns are rusty, not having a proper place to keep them in."

March 23.

"One reason of want of victuals is, the lands are new." "I did see from the first, that from the few Netherland settlers who actually resided here at our arrival, scarce one obtained, during our residence, one schepel of grain; those who came with us hither, or emigrated afterwards to this place, did not

¹ Albany Records, vol. xiv. pp. 389—392.

much more, or could effect any thing better, as the time, in the first year, was spent in building houses and making gardens, in which small compass of garden each individual, as well in clearing soil, in building, and carrying the materials, was so busily engaged, that the summer was passed without having thrown much seed into the ground; besides this, was then obstructed by the general prevailing sickness, during two successive years, while the immoderate hot weather was another impediment."¹

1659.

Settlers engrossed with building, &c. No time is left for agriculture.

The following letters from the directors in Holland to Governor Stuyvesant, show that the Dutch entertained constant suspicions of the fidelity of the Swedes in public trusts, especially since their request to remain neutral in case of any interruption to the mutual harmony between the two nations. They say:

"We approve the orders of your honour on the South River, with the exception of the appointment of Swedish officers in that district, because that nation is not to be trusted, which may not only be presumed from its former conduct, but is evident from their request to the director that they might be permitted to remain neutral in case a Swedish succour might arrive. These are, in our opinion, bold proposals from subjects who pledged their obedience to our government and the company, when they took the oath of allegiance, and who betray the sentiments which they foster in their bosoms; wherefore we have been yet more surprised, as it had been rather preferable to have disarmed the whole nation, than to provide them with officers, and place the arms in their hands, which they might use against us, not only by the arrival of any Swedish succour, but on any other occasion. It is therefore required, to prevent such an event, that this mistake should be corrected, not only by removing the Swedish officers, but by replacing them with other officers of our own nation, when you ought further to take hold of the first favourable opportunity to disarm them at the least symptom of disaffection. The sheriff and commissaries of the same nation ought not to be reappointed when their time is expired, and others of our nation put in their places, to render their associations fruitless, and discover their machinations with more ease. It would be useful for this purpose, could you succeed, to separate them, and induce them by fair means to settle among

February 13.
Letter from directors of West India Company to P. Stuyvesant. Displeased with appointment of Swedish officers. They to be removed.

¹ Albany Records, vol. xii. pp. 480—483.

1659. { our own inhabitants, when we could not be endangered by them. You must conclude, from what we have already written on this subject, that we consider it of the highest importance, wherefore we recommend you to execute our orders with the greatest carefulness."¹

Beekman's
office in the
colony.

They give some further instructions: Governor Stuyvesant is to "admonish Alricks, from time to time, of his duty, and particularly to assist William Beekman, who is now continued custom-house officer and auditor in the colony of the city on South River."²

Prices of ar-
tillery, &c.
surrendered
at Fort Casi-
mir.

"It is now no longer required that you transmit the weight of the brass and iron guns, with the valuation of the remaining ammunition and instruments of the artillery train, cattle, and other articles which were surrendered with the Fort Casimir, now New Amstel, to Director Alricks, as we have agreed on this point with the burgomasters and rulers of this city, who now are its legitimate proprietors; we shall therefore be attentive to communicate to you the prices of the ammunition and other implements which occasionally may be transmitted to New Netherland, that you may have a certain rule to act on in your distribution of these articles to your neighbours."³

Alterations
in conditions
to colonists;
create dis-
satisfaction.

About this time various alterations were made by the burgomasters in Amsterdam, in the conditions upon which the colonists had agreed to emigrate, and which caused much discontent when the news arrived; provisions were only to be distributed from the public magazine among those who left Holland prior to December, 1658; merchandise to be sold only for cash, and the city to be no longer obliged to keep supplies in their magazines. Exemption from tenths, instead of continuing for twenty years, were to cease in 1678, and poundage, horn, and salt-money, ten years earlier than stipulated, when the director-general could impose what rate he pleased. Goods in future must be consigned exclusively to the city of Amsterdam, whereas the West India Company allowed all traders resident on South River to export wherever they pleased, except beavers and peltry, the monopoly of which was still retained by the city. Many poor folks, whilst yet they had any thing left wherewith to pay for their passage, had offered it to Alricks, and besought him, with clasped hands, to accept it in payment of their debts, but he de-

¹ Albany Records, vol. iv. pp. 291—292.

² Ibid. p. 285.

³ Ibid. p. 286, &c.

clined, saying, "Ye are bound to remain for four years." 1659.
 "We have spent, in our hunger, wretchedness, and misery, all that we saved from our small pittance; we have nothing left wherewith to pay." "You must pay first, and then go." Numbers fled to Virginia and Maryland, where they spread the news of the weak and desperate condition of New Amstel.¹ Stuyvesant, in a letter of 4th September, complains of this conduct of Alricks to the company; which see.

A public fast and prayer day is directed by the director-general to be observed on Wednesday, April 2, which Alricks says will be observed. "What regards the proclamation of a fast and prayer day, transmitted here to be published on the 2d of April, I delivered it to the secretary as I received it from your honour; he will copy it in the form in which it ought to be done, and deliver it then to the *gospel* minister, to be published by him on that day. The minister keeps always the copies in his possession, by which it may thus always be seen what your honour commanded, and in what manner, so that in this regard every thing is performed that would be required—wherefore I enclose the declaration of the secretary on this subject."²

March 28.
 Fast and
 prayer-day,
 April 2.

"The fort and several buildings are much decayed; there is no magazine to save the victuals; lodgings too small, not light, and many out of repair; the ramparts, &c. unfit for use; beddings for the cannon in same situation; the walls and fortifications so far crumbled down that it is easy to pass them as by the gate itself, so that another gate is required, to make some outward appearance of defence, chiefly against the Swedish nation, who are yet ardently fostering the hope to be restored to possession."³

Condition of
 the fort.

The following fragments of a letter from Alricks to Stuyvesant, show some of the causes then operating against the colony:

March.

* * * "That prevailing violent sickness, which wasted a vast deal of goods and blood, from one year to another, and which not only raged here, but everywhere throughout this province, and which consequently retarded not only our progress in agriculture, but threw a damp over the other undertakings. Besides that, in the ship 'Mill,' which only lately

Deplorable
 state of the
 colony, from
 sickness, se-
 vere wea-
 ther, and vil-
 lany of a
 captain sent
 with sup-
 plies.

¹ O'Call. vol. ii. pp. 376—377, who quotes Holl. Doc. vol. xv. pp. 23—27; vol. xvi. pp. 215—217. Albany Records, vol. iv. p. 290.

² Albany Records, vol. xii. pp. 482, 491.

³ Ibid. p. 419.

1659.

March.

arrived, a very short time before the severe cold weather, were embarked more than 200 souls, besides those who last spring arrived, and bringing, as appears by the lists, about 500 souls, without bringing any victuals with them, which baffles, in this respect, all our measures. It is true we received by said ship a small cargo of about 3000 guilders' worth, for the purchase of victuals. The ship *Mill* arriving late; the harvest, by the unfavourable season, being collected late; the little grain which was not drowned by the heavy incessant rains, but remained stifled in its growth, was sold at such excessive prices, that it often could not be purchased, where it was necessarily wanted. We were not permitted to go to Virginia nor to the north, so that our bread magazine, our pantry-room, our only refuge is to Manhattan. In this full persuasion, we despatched the galliot, which, however, by the early winter, was frozen there, and as we had only a very scanty supply, and could obtain nothing anywhere else, it actually occasioned great distress among several inhabitants, although the usual rations were distributed among the arrived colonists, and even other individuals."

Captain of a vessel loaded with provisions runs off with her.

* * * "His honour's good intentions [for supply of provisions] being carried into execution, and that his yacht, which was before commanded by *Lumis Obbes*, now named the *Brigantine*, laden with victuals of pork, beef, maize, &c., was despatched hither, but to our misfortune, its skipper proved himself a faithless villain, and went off with the vessel thus provided, on privateering, to look out for a good prize, as we learned from various information; so that it happened to us as is so really said, 'misfortune goes seldom alone.' After all this, we were surprised by a dreadful and long-continued hard winter, so that no use could be made of any vessel whatever; so that sicknesses during summer season, and the severe cold in winter, took away the greatest part of the year, and prevented much labour from being performed. The sicknesses and deaths pressed on us with such unabated violence, that a large number of men, and not a small number of our cattle perished, during that period. We will devoutly pray our God, and hope that our sins may discontinue, and then of course the punishment shall be abated, which we are wishing from our whole heart."¹

Deplorable state of the colony. Hard winter.

April 25.

At this early period, the discovery of mines and minerals

¹ Albany Records, vol. xii. pp. 484, 485.

appears to have been a favourite object of attention. Several notices appear on the records, such as at Esopus, and on the Raritan, but the following is noticed particularly for its connection with the history of this state at a later period. The directors of the company say, "We lately saw a small piece of mineral, said to have been brought from New Netherland, which was such good and pure *copper*, that we deemed it worth inquiring of one Kloes de Ruyter about it, as we presumed he must know if the fact is as stated. He asserted that there was a *copper* mine at *Menesink*, and that between the Manhattans and South River was discovered a mountain of *crystal*, of which he said he brought several specimens with him."¹

1659.

Copper
mines at
Menesink.

A communication was made to the author, and is printed in his Register of Pennsylvania, volume i. page 440, from the late Samuel Preston, referring to some traditional accounts respecting the "*mine-holes*" and the "*mine-road*," as having been made at a very early period, by "a company of miners from Holland." He says, "from the best evidence I have been enabled to obtain, I am clearly of opinion that Menesink was the oldest European settlement of equal extent ever made in the territory afterward named Pennsylvania." The preceding remarks respecting the discovery of the mines, may possibly show the origin of these mine-holes, and thus verify the later traditional account.

The earliest
settlements
in Pennsylv-
vania.

It had been decided by the Dutch, if practicable, to make a purchase of the Whorekill. The following extracts from Alricks to Stuyvesant, show the progress of this business:

"We further understood that the cargo destined for the purchase of the Whorekill was now arrived, at which we rejoice, but that no guns were shipped, as these were not obtainable at the Manhattans; wherefore I solicit your honour that I may be permitted to supply them from the smuggled guns which were arrested in the ship Weigh-scales, which I would perform with pleasure, if it was possible, but as these guns had been a long time in the magazine, and became wet, but principally as several of the new colonists were without guns, and were intended to be armed; so it was deliberated upon this point in our meeting, and resolved to open the cases, which having performed in presence of D'Hinoyossa and Rynewell, it was discovered to contain 35 small guns,

May 14.

Cargo in-
tended for
the purchase
of Whorekill
arrived.

¹ Albany Records, vol. iv. p. 304. See also, Reg. Penns. vol. i. p. 428.

1659. with brass *bandlures*, of which then was said that each cost in Holland 3 gl. 5 st., and it was concluded that these should be delivered to the ensign, Anthony Rademan, to be distributed among the citizens who were without. When this was effected, several of these guns, when used, burst. This was communicated to the directors, of whom several were among the directors of the company, with the addition, that he who would reclaim these guns might be referred to the attorney-general, and that so as those were, they were here necessary, so might the city's account with the company be charged with it."

Distribution
of guns
from the
"Weigh-
scales." Se-
veral burst.

Difficulties with the vessels, and their passes and searches. Beekman is complained of as causing detention by his absence.¹

May 24. Messrs. Beekman and D'Hinoyossa departed 23d of last month for the Whorekills; were there on 30th, and despatched a savage to the chiefs in the country, desiring them to come down, with a view to agree with them. Alricks writes, "Now I hear some rumours that the English pretend that this river country is their property; that they intended to send ten persons hither to claim it, and place them in possession, with which several discontented persons would coincide to effect this plan, as there are here persons boasting to have seen letters written from Virginia to the Swedes, that they might remain here as a free colony under the English."²

Beekman
and D'Hino-
yossa at
Whorekill to
purchase
land.
English
claim.

June 14. Alricks again alludes to the sickness for two years, hard winter, unfavourable summer, and no ship arriving with victuals, as an excuse for not complying with certain directions, and says, "more so as I am commanded by my principals, in their letters, to secure another place besides this, to fortify and garrison it, which cannot be undertaken, much less accomplished, without great expense, towards which the small cargo of the 'Mill' avails little, as all the victuals are to be purchased at a high price—for maize, 6 gl. per schepel."³

Orders to
fortify and
garrison can-
not be com-
plied with.

June 13. Agreeably to their instructions, Messrs. Beekman and D'Hinoyossa having effected the purchase of the Whorekills, as appears by a deed sent by William Beekman to director-general, Alricks applies to them, "in conformity to the orders of my principals," for "a transfer of this purchase *in forma*, as well as of the other land of this colony, (New Amstel,) and further, that I (J. Alricks) may obtain a duplicate of said

Alricks asks
transfer of
Whorekill to
the city.

¹ Albany Records, vol. xii. p. 486.

² Ibid. 496.

³ Ibid. 499.

transfer, sealed and signed in the same manner as the principal, on *parchment* or *franchin*, that it may be sent to my lords and masters in *patria*.”¹ 1659.

A person arrives from *Bearson*, or *Godtsnend Island*, and reports the leading men in the country had a meeting, but that nothing could be known, except that several inhabitants had been warned to keep at home, or on the soil.² June 26. Danger apprehended.

Alarms continue respecting the English in Maryland. Alricks says to Stuyvesant, “the chief consideration with regard to the South River is, that the arrival of the English here must excite some interest, and raise discontentment. It is not doubted by the generality, that they intend to come hither. It was resolved here to address the governor of Maryland, that he would send back our deserted soldiers, but as we don’t know *his name or residence*, the letter was sent to Colonel *Jude Utie*, who resides in *Bearson Island*, whereas his honour is the first of the twelve magistrates there, soliciting that it might please him to forward this letter, with his recommendation, to its address, which was accepted, although his honour, during the conversation, declared that he actually had a commission in his house to come hither, but that, in the mean time, Lord Baltimore was arrived, commanding that the lands, from such to such degrees, should be reviewed and surveyed, and when ascertained, reduced and remain under his jurisdiction, without any intention to abandon any part of it.”³ * * * July 29. Alarms from Maryland. Writes to governor. Lord Baltimore directs survey of lands.

As soon as it was known here that Josias Fendall, governor of Maryland, was commanded to inquire into limits, and warn intruders off, it caused great anxiety among the inhabitants; operations are discontinued, and each one is preparing for flight.⁴ August 18.

The following proceedings took place at a council held at Ann Arundell, in Maryland, August 3d, being the commencement of the affair in which Colonel N. Utie acted so conspicuous a part: August 3.

“Present, the governor, (Fendall,) the secretary, (Philip Calvert, Esq., brother to Lord Baltimore,) Colonel Utie, and Mr. Edward Lloyd. Then was taken into consideration his lordship’s instruction and command to send to the Dutch Proceedings of council of Maryland.

¹ Albany Records, vol. xii. p. 498.

² Ibid. p. 503.

³ Ibid.

⁴ Ibid. p. 506. This is probably the letter to which the one that follows is a reply; if so, it must have been written some time previously to this date.

1659. in Delaware Bay, seated within his lordship's province, to command them to be gone, and ordered, that Colonel Nathaniel Utie do make his repair to the pretended governor of a people seated in Delaware Bay, within his lordship's province, and that he do give them to understand that they are seated within his lordship's province, without notice given to his lordship's lieutenant here, and to require them to depart the province."

Instructions
to Col. Utie.

"That in case he find opportunity, he insinuate unto the people there seated, that in case they make their application to his lordship's governor here, they shall find good conditions, according to the conditions of plantations, granted to all comers into this province, which shall be made good to them, and that they shall have protection in their lives, liberty, and estates which they shall bring with them.

"Signed, PHILIP CALVERT."

The following letter was addressed "to the commander of the people in Delaware Bay," and from the tenor of it, would appear to be in reply to one written to the governor by Alricks; the date of neither is given, but that of the governor of Maryland seems to form part of the proceedings of council:

August 3.
Letter of go-
vernor of
Maryland to
governor of
Delaware,
requiring
him to de-
part.

"Sir—I received a letter from you, directed to me as the Lord Baltimore's governor and lieutenant of the province of Maryland, wherein you suppose yourself to be governor of a people seated in a part of Delaware Bay, which, I am very well informed, lieth to the southward of the degree forty, and therefore can by no means own or acknowledge any for governor there but myself, who am by his lordship appointed lieutenant of his whole province, lying between these degrees, 38 and 40, but do by these require and command you presently to depart forth of his lordship's province, or otherwise desire you to hold me excused, if I use my utmost endeavour to reduce that part of his lordship's province unto its due obedience under him."¹

Stuyvesant thus represents the state of the colony to the company in Amsterdam:

"The situation of the city's interest on South River is very precarious, without great prospect for improvement, and

Sept. 4.

¹ Albany Records, vol. xii. p. 514. Reg. Penns. vol. iv. p. 97. - N. Y. Hist. Soc. Coll. vol. iii. p. 368, from Maryland Records, by Bozman. This letter may also be found in a note to O'Call. vol. ii. p. 378, where it bears date July 8, 1659, as from Holl. Doc. vol. xvi. p. 99.

it is much to be apprehended that if no other and better measures are adopted, that this settlement will fall into ruins. It would be too long and tedious a task to enumerate the various complaints which are reported from there, and cannot all be equally credited. This is certain, that several inhabitants are removing from there. While I am writing this, there arrived here from there an English ketch, which sailed from Boston three weeks ago, with provisions; the skipper, a well-known and credible person, said that while he was on South River, about fifty persons, among whom several families, removed from there within a fortnight, to Virginia and Maryland: a chief excuse for these removals to Virginia, (that the general complaints and rumours are spread here and everywhere,) is supposed to be the too great preciseness of honourable Alricks. We gave to individuals a pass for coming hither, even to such as offer to pay their passage and fare, or who are giving security for it, who otherwise would have desired rather to remain among their own nation than to remove among strangers. The probability of this might be corroborated by our own experience, because his honour more than once prosecuted and solicited that those might be returned who did come hither, without being willing to accept their pay or security, not even when we addressed him on this point with such preciseness, of which, perceiving the dangerous fruits, we resolved, at least till further orders and advice, to act not with much rigour from our side, by returning thither all such as might come here, as there is more prospect for the city of receiving its payment from those who remain under this government, and within this province, than from those who, if not admitted, are as much enforced to remove and settle amongst strangers; on which we therefore shall expect your honour's advice to regulate our conduct."

1659.

Letter from P. Stuyvesant to West India Company, Amsterdam. Ruinous state of the colony, owing to Alricks. A vessel from Boston.

He alludes to rumours afloat respecting the English of Kent and Maryland, a part of Virginia, making an attempt on South River. Fears and suspicions of a confederacy between Sweden and England, and the disputes with our government might continue, and some enterprise be undertaken under Swedish colours; fears their feebleness to oppose such an event.¹

English expected from Maryland.

"We mentioned in our last the desolate situation of the city's colony on South River, by the elopement and removal

September.

¹ Albany Records, vol. xviii. pp. 28—39.

1659.

Removals to
Maryland.
Only thirty
families re-
main.

of a number of colonists towards Virginia and Maryland, and other places, day by day, and growing worse and worse, so that scarce thirty families remain there. Besides, the soldiers of the city, who were fifty in number at their arrival, are melted down to near one-half, of whom two-thirds have been garrisoned at Whorekill, not without fear and peril to be there all massacred by the cruel savages, so that in and about New Amstel no more than eight or ten soldiers are remaining.”¹

Sept. 9.

Letter from
Alricks to
P. Stuyve-
sant, giving
account of
interview
with Colonel
Utie and
others.

Alricks writes to Stuyvesant that “six persons arrived at New Amstel from Maryland, on last Saturday, about 8 p. m., viz. Colonel Nathaniel Utie, his brother, his cousin, a Major Jacob De Vrintz and servant, with four fugitives, of whom three were apprehended, and one escaped. Colonel Utie demanded an audience on Wednesday, which was consented to. When they appeared before us, I asked for his commission, when he showed me his instructions, which he said was at the same time his commission, of which I now enclose a copy. He appeared pretty harsh and bitter; however, what he joined to it was perhaps yet more pungent and bitter, yea, even so that it was not to be suffered. He urged that we should give him our answer and declaration without delay, by yea or no, or he should be compelled to use other means, and then he would be innocent of the blood which in such case might be shed. He was fully authorized; might not indulge in any delay, neither could there be a more favourable period to execute the plan, as they might now dispose of a number of tobacco-planters. It appears that they are warmly engaged in the execution of this project, as becomes further evident from his answer or protest.” * * * [Three lines are here lost.] “The citizens are few in number, and unwilling to fight, because, as they say, the city has not kept its conditions, but curtailed them; and to be short, it is utterly impossible to secure this place without a larger reinforcement, or immediate relief, which, on receipt of this, ought to be conveyed hither with all possible speed, without the least delay.” He hopes the galliot can be equipped, and “your honour come in person. We cannot expect to live with them in peace, except your honour, with his usual discretion and prudence, can dispose them in such way as your own council may deem proper. Do not then forsake us in our distressed

¹ Albany Records, vol. xviii. p. 445.

situation, neither permit that we should be ruined. New Amstel, September 9, 1659.—P. S. Three weeks allowed.”¹ 1659.

On the 12th of September, Beekman writes to Director Stuyvesant, that on the 9th he had despatched to him a savage with the honourable Mr. Alricks, and now sends another, fearing some accident to the former, and would have sent a soldier with the latter, but for a rumour of the difficulties at Staten Island. He proceeds: “On the 6th of this month, towards evening, arrived at New Amstel, Colonel Nathaniel Utie, with his suite, being altogether seven in number, who, on the 8th, solicited an audience, which directly was granted. I was then very urgently entreated by Mr. Alricks to assist in their meeting, to hear the colonel’s conclusion and proposals, while he further said that I was far more deeply interested in it than he, in regard to my relation with the West India Company, while the city of Amsterdam had been guarantied by the company, who sold the land to the city of Amsterdam as free from any incumbrances.

Sept. 12.

Letter from W. Beekman to P. Stuyvesant, giving an account of the visit of Colonel N. Utie, on the part of Lord Baltimore.

“Colonel Utie first delivered a letter to Alricks; then, at our request, a copy of his instructions; then communicated his orders from the governor of Maryland, and ‘declared that we here in South River have taken possession of Lord Baltimore’s jurisdiction, and therefore commanded us to leave it directly, or declare ourselves subject to Lord Baltimore; and if we hesitated to resolve upon it voluntarily, he deemed himself not responsible for the innocent blood which might be shed on that account.’ We answered, ‘that this communication appeared very strange in every respect, as we had been in possession of this land during so many years, as well as by octroy of the States-General and the directors of the West India Company, which we previously obtained.’ His honour said, ‘he knew nothing about it; it was granted to Lord Baltimore, and was confirmed by the king himself, and renewed two years ago, and sanctioned by the parliament, to the extent of forty degrees; when he repeated again he was innocent of the blood which might be shed, as Lord Baltimore was invested to make war or peace, without any man’s control. He said further, ‘we ought to take hold of this opportunity, as our men had chiefly deserted us, and they who are yet remaining will be of little or no aid, therefore it is our intention to take hold of this occasion, as we will not let

¹ Albany Records, vol. xii. p. 509.

1659.

Letter from
W. Beekman
to P. Stuyve-
sant. Utie's
visit.

it pass by, convinced as we are of your weakness, and it now suits us best in the whole year, as the tobacco is chiefly harvested; we therefore demand a positive answer, just as you may please; just as if he would say, 'it is indifferent what you may resolve.' We answered, 'that we could not decide the case, but that it must be left to our lords and principals in England and Holland.' He replied, 'he did not care any thing about them.' We answered, 'that we would do nothing without them, and were in duty bound to refer the case to the director-general of New Netherland, to whose government we were also subject, and it would require some time to consult them.' He demanded 'what time would be required.' We proposed then 'three weeks,' on which the colonel said, 'I have no orders to give any respite; nevertheless I will give you the required time.'

"On the 9th, we summoned him to the fort again, to receive our answer in writing, when the colonel repeated his former saying, and then said to *me* particularly, as he understood that I was commander at Christina, that 'I too must depart from there, as it was situated within 40°.' I answered, 'that if he had any thing to say to me, that he ought to appear at the place of my residence;' when he replied, 'I think it sufficient, at all events, that I made you this communication.' The writings reciprocally delivered are now transmitted to your honour by Mr. Alricks; we expect your orders and assistance with all possible speed, and ardently wished that your honour was here on the spot. We devoutly pray that it may please God to spare your honour in health, and prosper the administration of your government, while I remain, your faithful servant,

WILLIAM BEEKMAN.

"Altona, 12th September, 1659.

"P. S. Last week a soldier ran away, so we now only have thirteen men, besides the sergeants."¹

The following protest against Colonel Utie's proceedings, by the commanders on South River, shows the ground they took in this high-handed measure:

Protest
against pro-
ceedings of
Col. Utie.

"Whereas you appeared yesterday afternoon, at your request, in our meeting, and read and showed us there a certain instruction, which, as you said, was given by order of the honourable Josias Fendall, lieutenant of Lord Baltimore, but

¹ Albany Records, vol. xvii. p. 5. This volume contains a large portion of Beekman's correspondence between 1658 and 1663.

without day or date, or place, when or where it should have been written, being signed by Philip Calvert, secretary, &c., and designing us by it, as at the Delaware Bay or the colony here; in which aforesaid instructions is simply said and alleged that this place is situated in the aforesaid Lordship's Baltimore's province, and that therefore this government, together with its subjects, ought to leave this spot the instant it was notified to them by you. You further proposed by it, that all the lands between 38° and 40°, from sea to sea, east and west, belonged to Lord Baltimore's governors of Maryland, and that what had been before disputed in Old England, had lately been granted and confirmed; relating to us all this, without producing one single document for its sanction, or forwarding to us any of this kind, so as we too could have wished that you had been pleased to commit your proposals in writing, to avoid future misunderstandings. It is true you declared, in words of more weight, that in case of refusal of immediate departure, to be unaccountable for the much innocent blood that might, by reason thereof, be spilled. Such proceedings and treatment appeared to us unexpected and strange, and so do such procedures and treatment by Christians and Protestant brethren, and our near neighbours, with whom we desired, and of whom we never solicited any thing else, nor do it yet, than a sincere cultivation of harmony and friendship, that we yet desire may be uninterrupted, as we, from our side, are confident that we never gave them any reason of discontentment; we therefore request once more, as we did before, to deliver us at least an extract, to verify your principal's pretended rights, to ascertain the title and limits of his property, either that these have been conquered by his right hand, or that they have been acquired by a title of purchase or donation, so too, what in Old England might lately, or for some time might have been disposed by the parliament in favour of the claims of your principal.

1659.

Protest
against
proceedings
of Col. Utie.

“We offer to show and prove this instant, in what manner we obtained the possession of this land, as well by a grant of their High Mightinesses the States-General of the United New Netherlands, as by a legal transfer of the West India Company, by the payment we made for this land, and its actual possession.

“But that we, if some misunderstanding with regard to this or any other subject might have taken place, we should

1659. wish that such a difference should be submitted to our sovereigns, as the parliament and the States-General, otherwise because we are but new comers in these countries, and therefore unacquainted with the circumstances of this affair, or what may be found concerning the same in the public offices of record or elsewhere. We refer ourselves to the proofs, against any suggestions to the contrary which are yet in the possession of the director-general, and in whose government of New Netherland we reside.

Protest
against
proceedings
of Col. Utie.

“It was further continued at the next meeting, with regard to your instructions. It is given in consideration, if it is lawful, that offers are made here to some of our inhabitants, and favourable terms of agreement about some plantations proposed, enforced by the prospect of a future commerce with the inhabitants of Maryland, and the promise of protection and much liberty, which has been already actually performed, as well to such individuals as by their oath were bound to obedience to their lords and masters, and who were owing considerable sums to one and other of their fellow-citizens, and who, seduced by such lures, are wavering if they shall abandon their former pursuits, and conclude to run away, to meet their utter ruin half-ways, by which, nevertheless, their lords and masters are disappointed, and are frustrated to recover their debts; wherefore we are compelled to enter a solemn protest against your honour and his principals, as we are doing by this, against all losses and damages which we suffered already, or yet might sustain, with a view to pursue the recovery there, and as we may deem proper.

“With regard to the continuation of peace and harmony, as concluded by the republic of England and their High Mightinesses the States-General, we cheerfully refer ourselves to it; also to the treaty and alliance concluded 5th April, 1654, under which resort all governments, as well in America as in Europe, and whereby they are charged and recommended to commit no hurt, hostility, or injury against one another, as by the 16th article.

“I am confident, nevertheless, that you will consider every point maturely, and require nothing further than you, in equity and justice, can desire to maintain. We declare that we are utterly averse to defend or patronize the least injustice, but are always cheerfully willing to second those who have the right side, or to give place to them; while in all,

what more is required, and exceeds this just measure, or is contrary to it, we refer to our sovereigns, or otherwise; we so, tenderly, protest against all losses and damages as before. 1659.

"It was further proposed, that in order to deliver a more decisive answer, it would be expedient to write, with all possible speed, to the director-general, for which end the colonel allowed three weeks or thereabouts, at least till his answer can be received. Was signed,

| | |
|-------------------------|------------------|
| "J. ALRICKS, | JOHN WILLIEMSEN, |
| "ALEXANDER D'HINOYOSSA, | JOHN CRATO, |
| "WILLIAM BEEKMAN, | HENDRICK RIPP. |

"By order of the director-general and council, with the Director Beekman and schepens. By absence of secretary,
"G. VAN SWERINGEN."¹

Beekman refers to a letter sent, for greater security, by a Sept. 20. savage, with Sanders Boyer and Vanetas, to inform him of the transactions with the English; they, however, returned last night to New Amstel, the savages having advised them not to proceed. At a consultation at request of Alricks, it was agreed to send Van Sweringen, with eight or ten men, with two soldiers, by land to Manhattan. By two Englishmen lately arrived, they learn that when Colonel Utie returned, five hundred men would be ordered to be ready to march on orders. Beekman, on hearing this, sent a person to Virginia for information, solicited Sheriff Van Dyck to provide eight or ten men for the security of Fortress Altona, but he did not succeed; is expecting instructions and reinforcements from director-general.

Five hundred men preparing to come from Maryland.

They again resolve to write, by ten men by land, "as the Sept. 21. road was here deemed very unsafe." Beekman returned to Altona for two soldiers, which were sent over to Alricks before evening, but he had changed his mind, and sent back the soldiers. Alricks hired a yacht of Captain Jacobs, to sail that evening, on hearing which, Beekman stepped into a canoe, and went to New Amstel, where he met Vanetas and Andreas, who said Alricks had changed his mind, because he deemed it improper to send so many men from the colony. Beekman writes, "it seems to me that Alricks and Hinoyossa are much perplexed and full of fear, with respect to the Eng-

¹ Albany Records, vol. xii. in which are several chasms, which we have filled from the copy in the A. P. S. Collections, published in Reg. Penns. vol. iv. p. 97. Holl. Doc. xvi. p. 117.

1659. { lish coming from Maryland, which I could not believe." No tidings of the sheriff and commissary. Alricks, in a letter of same date, to Peter Stuyvesant, confirms the return of the savages and men, after being eight days on the road, which compelled him to hire the yacht at 200 guilders. "Hopes in God for a large reinforcement;" says "the English conduct themselves in such a manner that we cannot count on any time with certainty, neither can there be placed any confidence in them".¹

Sept. 23.

Letter of P. Stuyvesant to Alricks and Beekman, blaming their course with Utie.

After receiving from Alricks and Beekman their account of Colonel Utie's visit, Stuyvesant expresses his displeasure at some of their proceedings, in the following letter:

"I did see, with no less regret than surprise, in your last letter, with the annexed documents, the frivolous conclusion of Nathaniel Utie, and your not less frivolous answer and further proceedings with him, on such a frivolous fabricated instructions, without date or place when and where it was signed, or by whose authority and order it was given; much more so yet, that you permitted the aforesaid Utie to sow his seditious and mutinous seed among the community, during four or five days, without compelling him to defend his coming there; permitting him first, (after the fifth day of his arrival,) at his request, to obtain directly an audience, with a further written promise, signed by the great council, that a further and more satisfactory answer should be given upon his frivolous conclusion and well within three weeks, and all this only on his threatening expressions, without showing any qualification or commission by whom he was authorized; unquestionable proofs, indeed, of want of prudence and courage, partly avowing his rash conclusion, at least greatly encouraging the boldness of the man, who rather deserved to have been apprehended as a spy, and conducted hither, than to have obtained an audience upon such a frivolous fabricated instruction, without a commission. To leave then no shadow of hope to that spy, thus are we, by the past transaction, and your honour's letter, compelled so to redress the one and correct the misconduct of others, to appoint and authorize the bearer of this letter, our beloved, discreet and faithful Cornelius Van Ruyven, secretary, and Captain Martin Krygier, burgomaster of this city, to dispose and regulate all the affairs there, agreeably to their commission and instruction, placing

Van Ruyven and Krygier appointed.

¹ Albany Records, vol. xii. p. 516; vol. xvii. p. 6.

further under the command and direction of Captain Krygier, the military force which in our present situation we could spare with difficulty; requesting by this that the aforesaid committee shall be received and respected as ourselves, in executing their instructions, to procure them all assistance, and to pay them due obedience. In which confiding, we will, with our cordial salute, recommend you to God's protection, and remain, &c. 1659.

Stuyvesant
to Alricks
and Beek-
man

P. STUYVESANT.¹

‘New Amsterdam, September 23, 1659.’

The following are the commissions referred to in the preceding, which show more fully the nature of their duties.

“P. Stuyvesant, &c. &c. Whereas, for the purpose of protecting and securing the interests of the company and city of Amsterdam's colonies on South River and New Netherlands, we have immediately resolved to expedite and forward a certain number of militia, over whom, in our absence, it was necessary to appoint a suitable and valiant commander; therefore, from our own experience, and relying upon the experience, fidelity, and value of Martin Krygier, burgomaster of this city, Amsterdam, in New Netherland, we have commissioned and appointed the same, and by these presents do commission and appoint him as captain over the said troops, and all others that may be found along the South River and elsewhere, or may hereafter be raised, ordering and commanding all officers, high and low, and the soldiers, the said Martin Krygier as their captain to acknowledge, respect, and obey, according to our good meaning and intention. Thus done and given under our hand and seal, September 22, 1659, at New Amsterdam.

Sept. 22.
Commission
to Martin
Krygier, as
captain of
the militia.

P. STUYVESANT.”

“P. Stuyvesant, in behalf of West India Company, &c. Know ye, that in consequence of unexpected advices from their excellencies, Jacob Alricks and William Beekman, for the purpose of preserving and protecting the concerns of the honourable the company's colonies and the city of Amsterdam, we have commissioned, authorized and despatched, by these presents, our trusty and well-beloved honourable Cornelius Van Ruyven, secretary, and Captain Martin Krygier, burgomaster of this city, and according to instructions already given them, or hereafter to be given, on receipt of broader and better advice respecting the government and security of those places, to establish all possible and prompt orders, and

Sept. 23.
Commission
to Krygier
and Van
Ruyven, as
general
agents.

¹ Albany Records, vol. xix. pp. 331, 332.

1659. by these presents, all and every one to whom these presents shall be shown, or to whom they may appertain, commanding and summoning our aforesaid commissioners, viz. Cornelius Van Ruyven and Martin Krygier, as such, according to present and future instructions, authorized to receive and respect, and accept, on the execution of these presents, and of what may tend to strengthen the interests of the company, to give them all such advice, comfort and aid as it becomes them."

Sept. 23. The ninth and tenth articles of instructions to Messrs. Van Ruyven and Krygier, in relation to Colonel Utie, are,

Instructions
to Van Ruy-
ven and
Krygier to
treat Utie as
a spy.

"If the before-mentioned Nathaniel Utie, be it in person or by anybody else, might return for an answer on his frivolous demand, and no less frivolous signed promise, as is said to have been given him in writing, the gentlemen commissioners are to give unto him, as being a spy, and wholly unqualified, no answer, until he first exhibits a due qualification of a state, parliament, or lawful established government; in the mean while to keep him and his second as hostages, and treat them civilly, until they exhibit better qualifications, or that other commissioners bring a more peculiar and better answer from any state, prince, parliament, or lawful government, to the end we may be duly acquainted where, how, and on whom we may take satisfaction for the costs and expenses already been at, or yet to be at, in the maintenance and defence of our own.

Commission
of A. Heer-
mans to go to
Maryland.

"The said Utie returning or not returning, they will fill up the commission delivered them in blank, and despatch the persons therein named, or to be named, with all speed, to the governor of Maryland, if they can conveniently be despatched from thence, and may have a speedy answer back again. If the same cannot, according as they find matters, be done better and more speedily from hence, then to cause Mr. Augustus Heermans, with all speed, to return hither, to despatch his commission from hence. In the mean while, they will endeavour to [obtain as] much intelligence as in any ways is possible, to [from our] good friend at Beren Island, for our and their use."¹

Sept. 23.

Governor Stuyvesant having heard of Colonel Utie's visit to, and conduct at South River, resolves to send two commissioners to Maryland, and appoints Augustine Heermans and Resolved Waldron for that purpose, with the following commission and instructions :

¹ A. P. S. MSS. in Reg. Penns. vol. iv. p. 98.

1659.

“Peter Stuyvesant, in behalf of the high and mighty lords States-General of the United Provinces, the noble lords overseers of the authorized West India Company, as director-general of New Netherlands, Curacao, Bonaire,(?) Araba, and the appurtenants of them, with advice of the lords of the council, to all men that these shall come to see and hear, salut. We make known that we have qualified, authorized, and have given power, as we do qualify, authorize, and give power, by these presents, to Sirs Augustine Heermans and Resolved Waldron, as our trusty ambassadors, to address themselves to the honourable Josias Fendall, governor of Maryland, and after the delivery of the copy of this and letter to his honour, in a friendly and neighbourly way, to request the redelivery and restitution of such free people and servants as for debt and other ways have been fled, and as to us is given to understand, that for the most part are residing in his honour's government, especially about a year since have gone out of this colony of the high, well esteemed lords governors of the city of Amsterdam; which if you do, we are ready to assure you, that in maintaining of good justice and neighbourly duty, to do the same beside all those that may come runaways to us out of any of your neighbour governments; otherwise, if contrarywise your honour shall make any exception or delay upon this friendly and neighbourly representation then to his honour, as also to the council or any that this may concern, to make it known, that we shall be enforced, *lege talionis*, to publish and to grant all liberty and stay free from arrests, and recess to all planters, (servants and negroes included,) which are now out of his honour's government, or hereafter shall come to us.

Commission
and instruc-
tions to
Heermans
and Wal-
dron.

“Secondly, we do command our aforesaid ambassadors and agents to make known to the lord governor and his council what has passed about the coming and arrival of one Nathaniel Utie, in the aforesaid colony of New Amstel, seeking to suborn and induce the inhabitants of the high and mighty lords of the said colony to rebellion from their legal commander and our nation, and further, without lawful order, act, or qualification from any state, prince, parliament, or government, showing only an authorized instruction or cartabel, without time or place, or when written, nor by order of any state, province, or parliament or government subscribed, demanding, and in case of refusal, threatening our said fortress

1659. to blood, with the said colony of New Amstel, thereto adding the said fortress, within the time of three weeks, (in case the same was not surrendered willingly,) with power of people to invade by way of hostility, which is altogether contrary to the articles the 2d, 3d, 16th and last of the confederacy and peace between the republic of England and the Netherlands, in 1654 made; and also we, out of the said conceived instruction, by Colonel Nathaniel Utie delivered to the lords directors of the said colony of New Amstel, cannot conceive any higher power or authority, or order to such seditious proceedings and persuasions to the subjects, from their legal lords and own nation, and far less for to demand and threaten such places, where their undoubted right can be shown by patent of the high and mighty lords States-General, granted to the noble lords overseers of the West India Company; further, by bargain and sale, and deeds of the natives, and possession above these forty years, which is then contrary to the law of nations, and contrary to the forementioned articles of peace, to this time as yet entirely observed, to whose judgment and decision all questions, (if there should arise any between both nations,) first must be reserved, according to the last article of the peace, where our own forenamed ambassadors are especially authorized and commanded seriously to request the foresaid lord governor and his council, by virtue of the foresaid articles of peace, to give us right and justice against the said Colonel Nathaniel Utie, with reparation of damages already sustained by his frivolous demands and bloody threatening; in conservation of our plantations in the South River, and hereafter may be enforced to do.¹ And further, by these our open commission, do request that the above-mentioned ambassadors, Augustine Heermans and Resolved Waldron, as our trusty agents, according to the law of nations, may be received, heard, and full credit may be given, promising to ratify and to approve, and to hold of force what shall be done by them according to the commission, as if such was done by ourself. These we have given under our ordinary cachet and signature, in Amsterdam, in New Netherlands, the 23d of September, anno one thousand six hundred and fifty-nine.

Commission
and instructions
to
Heermans
and Waldron.

“ P. STUYVESANT.

¹ Something seems to be wanting in the preceding sentence to render the sense of it complete; but it is as above in the record.

"By command of the lord director-general of the New Netherlands, Curracoe, &c., and the lords of the council. 1659.

"C. V. RUYVEN, Secretary."¹

The commissioners bore the following letter from Stuyvesant, objecting to the conduct and demands of Colonel Utie, and informing the governor and council of their appointment: Sept. 23.

"Honourable lords—We have with great astonishment understood how that one Colonel Nathaniel Utie, of late, without that there is yet showed to us any lawful qualification, commission, or order from any state or government, but only upon a seditious cartabel, in form of an instruction, without inserting any time or place, or where or from whom, or in whose name, order, or authority it was written, only subscribed Philip Calvert, secretary, is come to us within our government and colony of New Amstel, and upon the same so formed instruction, hath demanded the foresaid places and colony of New Amstel, and upon refusal, hath threatened the governor, council and inhabitants of the place to blood, in case that the foresaid fortress and colony is not rendered willingly within the time and space of three weeks, and to come again by force of people to enforce the same by way of hostility to invade the same. And moreover, the inhabitants of the said place subject to the high and mighty lords States-General of the United Provinces, have sought to alienate, and to induce to rebellion from their lawful commander and our nation, which is also directly against the confederacy peace articles between the republic of England and the above said high and mighty lords States-General of the United Provinces, made in the year 1654; and whereas the aforementioned Colonel Nathaniel Utie, in his discourse, did make mention as if he by you thereto was qualified and commanded, which nevertheless we, out of the aforesaid pretended instruction, in noways can be induced to believe; therefore we have, to avoid all misunderstanding between these governments' people and subjects, thought fit to send to you as agents and ambassadors, our well-beloved and trusty Augustine Heermans and Resolved Waldron, for to remonstrate all what is aforesaid, and how ill those odious proceedings will be taken by the high and mighty lords States-General, the

Letter to
governor, &c.
of Maryland,
from Gen. P.
Stuyvesant.

¹ N. Y. Hist. Coll. vol. iii. p. 371—373. MSS. A. P. S. in Reg. Penns. vol. iv. p. 97.

1659. lords overseers of the West India Company, and the high esteemed lords and governors of the city of Amsterdam, as they are taken now already so by us, and to request for what is past, in reference to the articles of peace, and in a kind and neighbourly way, the apprehension of certain fugitives: all this in conformity to their commission. These are only to serve for their address and safe-conduct, and we accordingly request, that the foresaid our commissioners, according to the right of nations, may be credited and believed as our trusty ambassadors, which we, in like occasions, at all times, shall be willing to acknowledge, and remain in all other observations, which we trust shall be accepted in all cordiality.

“Honoured lords, your affectionate friends and neighbours,

“P. STUYVESANT.

“By command of the lords overseers general, and lords councillors of New Netherland. C. V. RUYVEN, Secretary.

“Dated Fort Amsterdam, in New Netherland, the 23d September, 1659.”¹

Sept. 28.

Letter from Van Ruyven and Krygier to Alricks, informing of arrival with 60 soldiers. Great expedition in outfit.

Immediately on their arrival near Fort Christina, Messrs. Van Ruyven and Krygier inform Alricks of the fact, in a letter dated 28th September. After acknowledging receipt of a letter from Alricks, of the 9th, they say, “Though the director-general’s present situation, with regard to savages, forbids, yet the serious and earnest entreaties for any succour of men, victuals, and powder, and that your honour did not possess more than eight men, soldiers, two *adelborsten*, and one sergeant, besides the citizens are but few in number, and unwilling to fight, because the city, as your honour says, has broken her conditions, and rendered them less favourable; and further, that your honour is full of apprehension with regard to the threatening neighbours, whose pretensions and demands are entirely frivolous, is yet, on same day, by said director-general and council, to afford you, and the whole world, how deep an interest they feel in the security of this South River, which has now been in possession of the privileged West India Company more than thirty-six years, resolved and determined to send me here with a force of sixty men, in succour, under the military command of the valiant Captain Martin Krygier, which was instantaneously executed and promoted with such speed, that in less than three days, every article required for such an expedition was in readiness,

¹ N. Y. Hist. Coll. vol. iii. p. 370, 371.

with which we embarked at the Mannhattans, in three barques, sailed from there on 23d instant, and this instant arrived, which is therefore directly communicated to you, so that either you may, on receipt of this, come directly to see us in Fortress Altona, or send your deputies, provided that they are persons endowed with sufficient knowledge and qualifications to assist in considering and arresting the use of such orders and means as might be serviceable for the maintenance, preservation, and defence of this excellent South River, and particularly the colony of New Amstel. With which commending you, &c., your affectionate friends,

1659.

“C. VAN RUYVEN,

“MARTIN KRYGIER.

“Done at South River of New Netherland, in the yacht, between Forts New Amstel and Altona.”

At foot was written—“Sir, Whereas, before sealing this letter, the Lieutenant D’Hinoyossa, with other persons, arrived on board our vessel, so we understood by them of your indisposition, on which we resolved to proceed and cast anchor before New Amstel, and to visit you in person.

(“Arms of city Hoorn.”)¹

Messrs. Van Ruyven and Krygier censure Alricks² as the cause of all the misfortunes of New Amstel. They require the fifty soldiers sent back who had been sent from Manhattan to defend New Amstel, and say it is his duty to keep up that number, which would have prevented runaways, and that he must collect them; charge him as the author of all the calamities which befell New Amstel; insist on his recovering it; “must supply soldiery from the colonists, who are unwilling to enter into the service of the city unless Krygier remains,” being willing, under him, to defend the place to the last man. “In such a bad name is this place, (New Amstel,) that the whole river cannot wash it off, and would to God that it remained here, and that it was not openly proclaimed in our fatherland, to the scorn of this whole province. And now concerning the freemen, as we have learned by experience that your honour compels them to remain here, notwithstanding they declared their distressed situation, that they cannot find employ here, and are willing to oblige themselves under oath not to leave before payment of their debts to your ho-

Van Ruyven,
&c. censure
Alricks as
cause of
misfortunes
at New Am-
stel.

¹ Albany Records, vol. xviii. pp. 466, 467.

² No date, but between Sept. 23 and Oct. 1.

1659.

Van Ruyven
and Krygier
censure Al-
ricks.

nour, which management is too slavish and odious for a free nation, and in our opinion not in unison with the intention of the noble lords of Amsterdam. All this your honour may reply is untrue; that you allow every one to depart when he pays; but they reply, 'When we were able to pay for our passage, we offered to honourable Alricks, and with folded hands, to accept it for payment of debts; he declined, saying we were bound to stay four years; now we have spent all our little pittance, from hunger, anxiety, and misery, and have nothing left.' It would, in our opinion, stem and soften the odious clamour, and remove blame from you, to permit such as can find no employment here, depart to Manhattan, provided they can give security for arrears to the city; if not, that they engage on oath not to leave the province without your consent or on payment. We cannot perceive any advantage by compelling them to remain. It ought not to be that we should leave them to perish by famine, trouble, and cold, though the rumour is afloat that many have actually died by hunger; this would not be in unison with the duties of a Christian; then it follows we must at least provide them with necessaries and clothing, by which their debts are increasing; then again is the hope that those who go to Manhattan will, some day or other, pay; otherwise, in despair they will run off to Virginia, than which it is better they should run to Manhattan."

Soldiers at
Altona.

They speak of the transfer of the colonists, ten or twelve unwilling to enter into a residence in the city, and placing them provisionally in Fortress Altona, under command of Beekman; besides these, twenty men more in garrison there for defence of fortress; that he shall employ as many soldiers as we take colonists in service of this colony and Fortress New Amstel.

General
war with sa-
vages pro-
posed.

The director-general suggests the propriety of a general war with the savages; has written to fatherland; at present needs the galliot, and requests it, provided another good vessel is found for the contemplated voyage.

Soldiers of
New Amstel
disobey or-
ders of Kry-
gier. Justi-
fied by Al-
ricks.

Reminds him that Captain Krygier, as it is our custom to clean and place every thing in proper order in our Fort Amsterdam, commanded some of the soldiers whom we conducted hither to clean half the Fortress New Amstel, which was annually effected, and that each person might do something, so commanded aforesaid your sergeant, Bernard Stoodcur, to do the same on the other part of the fort, with his men. "It

is forbidden me by honourable Alricks and Lieutenant Hino-yossa, to obey any other command than theirs," was the answer, which sounding in our ears as an uncommon trumpet, we directly addressed the honourable Alricks, in presence of D'Hinoyossa, declaring our surprise, as he must know, by our credentials and instructions, with what high commission we were endowed; wherefore we should wish to know if it was done with his knowledge. It proved true, both saying that the city's servants were not holden, agreeably to their oath, to obey any other commands than those of the city; and Hino-yossa further declared that no one, while he held commission, should exercise command over him, or the soldiers of the city, and such other discourse which should not be passed by without protest, yet we do it, as it might lead to discussions, &c. to be avoided; we trace it, however, to the oath which had been taken, excluding the directors of the West India Company; propose its alteration.¹

1659.
D'Hinoyossa forbids his soldiers to clean the fort, on Krigier's orders.

It appears from the following letter of Beekman, that Stuyvesant was not altogether satisfied with the manner of conducting the first interview with Colonel Utie:

"I received your communication and a body of soldiers. Alricks and I received your letter by Van Ruyven, and observe you are displeased we did not detain Utie. I was inclined to do so, and actually proposed it to Alricks and D'Hinoyossa, they fearing great calamities from it, and a revolt of the citizens. We have heard no more of the English, except a report that Colonel Utie had gone to see the governor. The sheriff and commissary, instead of sending eight or ten men, speak of your sending by Huygens, not to provoke war, and that you would send men to protect against the savages."²

Director-general displeased Utie was not arrested. Beekman excuses himself.

Van Ruyven, &c. write to Alricks in rather a fault-finding style, charging him with want of energy in raising troops, &c. They urge him most seriously to complete and maintain fifty soldiers, sent by director-general when, on account of probable war with the savages, they could be badly spared, and ought to be returned thither with all speed. They charge him with using no effectual efforts to enlist. "Did one of the city officers stir one single foot towards this object, or shall it be urged it was published by beat of drum? but no person arrived. This was known beforehand, that no one would be

Oct. 1.
Letter from Van Ruyven, &c. to Alricks, censuring him for not raising or using his soldiers.

¹ Albany Records, vol. xviii. pp. 423, 424.

² Ibid. vol. xvii. p. 12.

1659. obtained in this manner, at least not from the inhabitants, because the great majority who did yet remain in the city service are dissatisfied with the magistrates of this colony, for what reasons must be best known to your honour;" * * "but [these] persons ought to have been encouraged by offers of favourable terms and salary, as is the usage in fatherland, and anywhere else, in such a great distress." "But what excuse can be made why the soldiers on the Whorekill, as we were promised last September, were not commanded to march hither, or have not arrived." "It is indeed too absurd, that the director-general and council should bereave their own places, of far greater consequence, of the necessary soldiers, and send them hither for succour, and that you should not send for your own soldiers, but leave them to guard *one or two* houses, built apparently more for private views than for the welfare of the country, and employ sixteen or eighteen for this purpose."¹ [The remainder lost.]

Cet. 14.

The unfortunate situation of the colony still continues, and the directors of the company in Amsterdam give vent to their feelings in the following letter to the director-general in New Amsterdam :

Letter from
West India
Company to
P. Stuyve-
sant, on
state of co-
lony. Al-
ricks cen-
sured. Plan
proposed for
improving it.

"We heard with regret the indifferent situation of the colony of this city on South River, and especially the elopement of its inhabitants into Virginia, and other adjacent districts. While we consider this a symptom which threatens a total ruin of said colony, without even a distant prospect of gathering the fruits of the expenses of this establishment, which is not only injurious to the undertakers of this great enterprise, but very injurious to our interests in general, as it will bring us into disrepute with our neighbours. As this misfortune seems to have been originated chiefly on the too rigid preciseness of the Director Alricks, who would not permit the colonists to settle in the Mannhattans, notwithstanding their offer to pay their debts to the colony, or to procure bail for those to his contentment, so it is highly becoming that you should endeavour to divert him from this plan as soon as it can be done, and expose to him the serious consequences of this case, in a plain and intelligible manner. Your honour might show him that it would be far preferable, if he would, in this critical moment, make voluntarily an offer to the remaining creditors, to settle in the Mannhattans, provided they

¹ Albany Records, vol. xviii. pp. 425, 426.

give bonds for the debts which they are yet owing, while in this case their recovery may sooner or later be expected, which is utterly hopeless and impracticable, if they move from the district of the company, and settle anywhere else. In case, however, the said director does persist in his opinion, and might reclaim colonists who have already settled in Manhattan, so it is your duty not to compel them to compliance, as it was your opinion to put in practice. It will further be of service to solicit the return of those who did emigrate to Virginia, and other neighbouring districts, if it is feasible, and employ all such means as you may deem the most efficacious, to obtain this end."

1659.

Letter from
West India
Company to
P. Stuyve-
sant, con-
tinued.

"The suspicions and apprehensions which have arisen with regard to the Swedish nation which are remaining in the South River, and that the English might be tempted to some enterprise against us, under their name and colours, cannot be prevented; more so while your honour, although without any bad intention, did place the arms in their hands, not only by the permission to form themselves into a company of the militia, but by appointing officers of the same nation to said company; whereas they ought to have been separated one from another, and have been amalgamated with our inhabitants, as we at large developed in our letter of 13th February. We persist yet in the same sentiment, to which therefore your honour is recommended to conform yourself, before they can, in alliance with their neighbours, take any advantage of us."¹

Swedes.

The commissioners proceeded to Maryland, and on the 16th of October, obtained a hearing of "a council held at Patuxent, at which were present the governor, secretary, Captain William Stone, Thomas Gerrard, Luke Barber, Colonel Nathaniel Utie, Baker Brooke, and Edward Lloyd." The commissioners presented their credentials, and the letter from Stuyvesant, which being in "Dutch," were "Englished" by order of council, by Simon Oversee; after which they delivered the following

Oct. 16.

Meeting of
the council
of Maryland
and the com-
missioners.
Delivery of
letters and
instructions.

"Declaration and manifestation by way of speech, delivered unto the honourable governor and council of the province of Maryland, in Chesapeake Bay, from and in behalf of the honourable governor-general and council of the province of New Netherlands.

Declaration
or speech of
the commis-
sioners.

"Notifying first and foremost the ancient original right

¹ Albany Records, vol. iv. pp. 310—312.

1659. and title the subjects of the high and mighty States-General of the United Provinces, under the propriety of the lords of the West India Company of Amsterdam, in Holland, have unto the province of the New Netherlands, latitued from 38 to about 42, by the great ocean sea, and from thence * * all * * islands and main continent, northerly up to the river of Canada, on the west side, Virginia and now Maryland, upon the great bay of Chesapeake, and on the east, New England. To say, that their ancient right and title to that part of the new-found world of America; both in a manner derived to them, first from the king of Spain, as then subjects or vassals to the first finder and fundator of that new world, who, after war and peace in those days concludeth, did renounce and give over unto the United Republic of the Seven Provinces aforesaid, all his right and title of those countries and dominions they have then in process of time conquered and seated in Europe, America, and elsewhere; whereof the abovesaid province of the New Netherlands, the Island of Curracoe, and Brazil, became the true proper inheritance to the Dutch nation in those parts, in that respect.

Declaration
or speech of
the commis-
sioners, con-
tinued.

“Secondly, as for the generality, the French were, in the year of our Lord God Almighty 1524, the second followers of the discovery in the northern parts of this America, by Jehan De Verazzano, a Florentine; then came the English and Dutch afterward also, and took possession in the parts we are in now, for since the year 1606 or 1607 to about 1618 or 1620, the English established and seated their colony of Virginia, by distinct patent, from the degree 34 to about 38; the Dutch the Manhattans, from 38 to 42, and New England from the degree 42 to 45. The French claim in Florida and in Canada, (Spain, the West Indies or Mexico; the Portuguese, Brazil;) and thus is this New World divided amongst the Christian princes of Europe, by communication of each other’s ambassadors agreed upon; out of which reason King James of England did will, command, and require that the colony or province of Virginia, and the province of New England should remain asunder, and not meet together within the distance and space of a hundred leagues, which was allotted for the Dutch plantations, then called by the general name of Manhattans, after the name of the Indians they were first seated by. And is here to be noted that they deeply mistake themselves who interpret the general name

of Manhattans aforesaid, unto the particular town built upon a little island, because, as it is said, it signified the whole country and province, or at least that particular place in that province; as per example, like it is frequent still to this day amongst some to say 'to go or come from the Manhattans,' when they mean the whole province, like unto Virginia or Maryland, for that particular town itself is never named the Manhattans, but New Amsterdam. And as for the South River, or as it is called by the English Delaware: in the particular, the said river was in the primitive time likewise possessed, and a colony planted in the western shore, within the mouth of the South Cape, called the Hoorekill to this day. The Dutch nation erecting there and all over the country their states-arms and a little fort, but after some time they were all slain and murdered by the Indians, so that the possessions and propriety of this river at the first in his infancy, is sealed up with the blood of a great many souls. After this, in the year 1623, the Fort Nassau was built about fifteen leagues up the river, on the eastern shore, besides many other places of the Dutch, and the Dutch Swedes to and again settled, until it thought the governor-general and council good to remove the said Fort Nassau, in the year 1650, downwards to the western shore again, and there to fix a town, as it is to this day, no man ever making any protest or claim, from Maryland or Virginia, against it. We say furthermore, to have the propriation and just right and title of that whole river, (and all our abovesaid province,) also lawfully obtained and legally bought from the natural proprietors the native Indians, especially the western shore, from time to time hitherto, as far and more within land to the west, as our line and limits as yet are extended and seated. By virtue of all which, and the right and title above-mentioned, we have always maintained and defended the said river against all usurpers and obstructors, as it is publicly known to this day, and shall do for ever.

1659.

Declaration
or speech of
the commis-
sioners, con-
tinued.

"Thirdly, from that primitive time aforesaid have the Dutch nation in the province of the New Netherlands, and the English nation in the province of Virginia and Maryland aforesaid, always friendly and neighbourly corresponded together, and that which is very well to be noted [by your]self in the last open war, without any claim, injury, or molestation one to another; until, upon the 8th day of September,

1659. this running year 1659, Colonel Nathaniel Utie came to our aforesaid South River, (by the English called Delaware Bay aforesaid,) into the town and Fort New Amstel, erected in the year 1650 as abovesaid, and without any special commission or lawful authority from any state, prince, parliament, or government, exhibited only by a piece of paper, a cartabel, by form of an instruction, from Philip Calvert, secretary, written without year or day, nor name or place, were neither signed nor sealed by any state, prince, parliament, or government, demandeth in a manner, and required in a strange way, that the town and country should be delivered and surrendered up to the province of Maryland, as he saith, for my Lord Baltimore; going from house to house, to seduce and draw the inhabitants to rebel and fall from their right lawful lords' sovereign government and province, with threatening, in case of no present willing submission and delivery, to come again and bring them to it by force of arms, fire and sword, whereto he saith a great company were kept and held for that purpose in readiness; nay, that the whole province of Maryland should rise and come to bring them under, and that they then should be plundered and their houses taken from, and so forth; against which action and incursions, and illegal proceedings, the deputy-governor and magistrates of the aforesaid river and colony firmly have protested, and answer made under their own hand subscribing, dated the 9th of September, 1659, last past, insinuating that the further occupation of that great business of consequence did belong, and must be referred to the honourable governor-general and council of the whole province of the New Netherlands, of whom an answer should be expected within three weeks' time; who, after aid and assistance done to their subjects in the aforesaid river, have us underwritten as ambassadors and messengers, with all speed sent hither to you, the honourable governor and council, assembly, or whom it any way might concern, in the province of Maryland of Chesapeake Bay, for to declare and manifest, by power and authority of our commission, whereof we this present deliver duplicate.

Declaration
or speech of
the commis-
sioners, con-
tinued.

“First, that the foresaid injurious parts are done not only against the law of nations, neighbourly friendship, and common equity, but also directly contrary to the amity, confederacy, and peace made and concluded in the year of our Lord God Almighty 1654, between the two nations of the republic

of England and the republic of the United Provinces, and their subjects all over the world, viz. articles 2, 3, 5, 6, 9, 10, and 16; whereby we proclaim the said amity and peace is disturbed and interrupted by the said Colonel Nathaniel Utie, or his principals of the province of Maryland, against the province of New Netherland aforesaid, and therefore make protest, and by power from the abovesaid 16th article of peace and [do] demand justice and satisfaction of all those wrongs and damages the province of the New Netherlands and their subjects have already by the abovesaid injurious proceedings suffered, or as yet may come to suffer.

1659.
Declaration
or speech of
the commis-
sioners, con-
tinued.

“Secondly, we demand the sending and returning back to our foresaid South River and colony, all the Dutch and Swedes people, subjects, runaways, and fugitives which from time to time, especially this present year, (for the most part deeply * indebted, or delinquents,) are come over and remain in this province of Maryland, as it is strongly suspected by means of the abovesaid odious and injurious design from hand to hand encouraged; declaring that the said honourable governor-general and council of the New Netherlands are in readiness to do the like in sending and returning back to Maryland all those runaways and fugitives which may come into their jurisdiction and government aforesaid; which manifestation in case of not, that according to *lege talionis*, the honourable governor-general and council of the New Netherlands aforesaid, hold themselves constrained, necessitated, and excused to publish free liberty, access and recess to all planters, servants, negroes, fugitives, and runaways which from time to time may come over out of the jurisdiction of Maryland into the jurisdiction of the New Netherlands aforesaid.

“And whereas (to say some things by way of a little discourse to the supposed claim or pretence of my Lord Baltimore’s patent unto our aforesaid South River or Delaware Bay) we utterly deny, disown, and reject any power and authority, (except breakers of peace, and actors as public enemies, which rests only upon their strength and self-will,) that may or can legally come to reduce or subdue the said river and subjects from their right lawful lords and proprietors, by whom it is undeniable justly and lawfully possessed and seated about forty years ago as abovesaid, when to the contrary, the patent of the said my Lord Baltimore is of no

1659.

Declaration
or speech of
the commis-
sioners, con-
tinued.

longer standing and settlement than about twenty-four or twenty-seven years, without any particular expressions or special title mentioned, to take that river of Delaware Bay from the Dutch, not insomuch as Sir Edmund Ploy[den] in former time would make us believe he hath unto, when it afterward did prove, and was found out, he only subreptiff and obreptiff hath something obtained to that purpose which was invalid. And put the case, the said my Lord Baltimore, or any other, hath any seeming title to the aforesaid river or Delaware Bay, then his lordship, according to the 30th article of peace and confederacy, should have made his repair before the 18th of May, 1652, to the honourable commissioners appointed by both states on purpose for the determination of such and the like differences as might have been committed or transacted between the two nations, in the foreign parts of the world, ever since the year 1611 to the 18th day of May, 1652, after which time it is in plain terms prohibited, and proclaimed that then no pretences more should be admitted.

“In obedience to which, to prove the true meaning and interpretation of the aforesaid 30th article, by two evident examples and witnesses of your own law, and chiefest authority of the republic of England, we say that New England in those days claiming also some interest to our limits from their side, and my lord protector’s ships by open war sent hither to subdue the aforesaid province of New Netherlands at the other side, peace being concluded, renounced and deserted, upon that occasion, their design, and went against the French; so that the right and title the Dutch nation have unto their province of the Netherlands aforesaid, ever since more and more stands confirmed and ratified. But forasmuch new motion is made, and question moved into our western limits, and having thereupon observed and suspected the Bay of Chesapeake, in the uppermost parts therefore winding so much to the north-east, to run about Sassafrax and Elk River into our line, we therefore lay also claim to those parts, until by due examination hereafter, the truth hereof may be found out, or agreed and settled among us otherwise.

“Lastly, and finally to conclude, the honourable governor-general and council of the New Netherlands abovesaid, doth declare and manifest that like we at our side never have intended any wrong or offence to the province of Virginia, or

now Maryland, in the Bay of Chesapeake, so we desire to continue still with them in all neighbourly amity, confederacy, and friendship, saving only that justice and satisfaction may be given as here demanded; propounding further, by way of advice to prevent further mischief, that three rational persons on each side may be committed out of each province aforesaid, for to meet at a certain day and time, about the middle of between the Bay of Chesapeake and the aforesaid South River or Delaware Bay, at a hill lying to the head of Sassafrax River and another river coming from our river almost meet together, with full power and commission to settle there the bounds and limits of between the aforesaid province of the New Netherlands and the province of Maryland for ever, if possible, otherwise to refer the difference they might find not agreeing, to both lords proprietors or sovereigns in Europe; but in the mean while that all further hostility or infractions to each other may cease, and not proceed further, so that the honourable governor-general and council of the New Netherlands hereof assured, further charges and damages excused, may call their soldiers home, which upon the action, or to defend their province and colony aforesaid, are only sent thither, and that we both sides at a fair correspondence may be kept as always hitherto before.

1659.

Declaration
or speech of
the commis-
sioners, con-
tinued.

“By denial or refusal whereof, we do proclaim our innocence and ignorance to all the world, and do protest generally against all wrongs, injuries, charges, and damages already sustained and suffered, or as yet to be suffered and sustained; declaring and manifesting that we are, and shall be then necessitated and forced, by way of recourse or reprisal, according to the 24th article of peace, to preserve, maintain, and to hold our right, title, and propriety of our aforesaid South River colony or Delaware Bay, and our subjects' lives, liberties, and estates, as God in our just cause shall strengthen and enable us.

“Desiring this may be recorded and notified unto all to whom it in any way may concern, with the true meaning and tenor thereof, and that a speedy direct answer and despatch may be given to us in writing, from you, the honourable governor and council of the province in Maryland, for to be returned and recorded by our honourable governor-general and council of the province of New Netherlands.

“And so, wishing the Lord God Almighty will conduct

1659. your honours both to all prudent results, that we may live neighbourly together in this wilderness, to the advancement of God's glory and kingdom of heaven amongst the heathens, and not to the destruction of each other's Christian blood, whereby to strengthen the barbarous Indians; nay, may rather join in love, and league together against them, which God our Saviour will grant.

"Written and signed by our own hands, in the province of Maryland, in Chesapeake Bay, at St. Mary's county, and delivered this 6th day of October, Anno Domini 1659, in Patuxent.

AUGUSTINE HERMAN,

"RESOLVED WALDRON."¹

Proceedings
of council.

After which the commissioners withdrew. The council "resolved, that the business be forthwith taken into debate, and that they would have an answer ready by Saturday, the 8th, at 5 o'clock, P. M.," and then adjourned till next day, the 9th, when they met, and "after a long debate considering his lordship's instructions and order were only to give the Dutch warning to be gone, that when we are able to beat them out they may not plead ignorance, resolved, that answer be given in writing, by way of letter directed to the general of the Mannhattans, in these words, viz.

Answer prepared by
them for the
commissioners.

"Honourable lords—We have received your letters of credence by the hands of Sirs Augustine Herman and Resolved Waldron, your ambassadors, wherein, as we find many expressions of love and amity, so we account ourselves obliged to return you real thanks in unfolding the causes of that which it seems hath been the reason of your astonishment and wonder, and as the matter shall permit, give you that satisfaction which with reason you can expect, and which we likewise shall exact from you in the rendering to us as substitutes of the right honourable Cecilius, lord baron of Baltimore, lord and proprietary of this province, &c., that part of his lordship's province lying in Delaware Bay, to us entrusted, and by you (as it seems) injuriously seated, in prejudice to his lordship's just right and title. * * For answer, therefore, unto your demands by your said agents made, we say, that Colonel Nathaniel Utie was by us, in pursuance of a command from the right honourable lord proprietary, ordered to make his repair to a certain people seated upon Delaware Bay, within the 40th degree of northerly latitude from the

¹ N. Y. Hist. Soc. Coll. vol. iii. pp. 374—381.

equinoctial line, to let them know that they were residing within our jurisdiction without our knowledge, much more, without our license, without grant of land from, or oath of fidelity to his lordship taken, both which are expressly, by his conditions of plantation and laws to all comers here to inhabit, conditioned and enjoined; and further, to offer unto them such conditions, in case they intended there to stay, as we ourselves enjoy. But in case of refusal and abode there made, to let them know we should use lawful means to reduce them to that obedience which all people within the degree aforesaid are bound to yield unto us, intrusted within this province by the right honourable the Lord Baltimore, sole and absolute lord and proprietary of the same, by patent under the great seal of England, bearing date 20th of June, in the year of our Lord God 1632, (?) and since by act of parliament confirmed; (a copy whereof we have shown to your said ambassadors;) and since you, by your writing, as well as by your ambassadors, seem to insinuate that the said colony in Delaware Bay is seated there by and under your command, we do protest as well against them and you, as against all other persons, either principals or abettors in the said intrusion upon our bounds and confines. Our damages and costs in due time, and by all lawful means, to recover, which we either have or shall at any time hereafter chance to sustain by the recovery of that place so seated within our bounds and limits, and injuriously by you detained.

1659.

Answer to
the commis-
sioners, con-
tinued.

“The original rights of the kings of England to these countries and territories, must be our endeavour to maintain, not our discourse to controvert, or in the least our attempt to yield up, as being that which we can neither accept from any other power, nor yield up to any other authority without the consent of our supreme magistracy, their successors in the dominion of England. Though we cannot but mind you that it is no difficult matter to show that your pretended title to that part of this province where those people, (now, if at all, the first time owned by the high and mighty States to be in Delaware Bay seated by their order and authority,) do live, is utterly none, and your patent (if you have any) from the States-General of the United Provinces void and of no effect.

“And to those instructions by us delivered to the said Colonel Nathaniel Utie, so much insisted on by you, we say, they are such as every person, inhabitant of this province,

1659.

Answer to
the commis-
sioners, con-
tinued.

ought to take notice of, as being subscribed by the secretary of this province, and to no other did we give them, or he make use of them. Neither can we believe the high and mighty States-General, &c., do think or will now own those people at Delaware Bay to be there seated by their authority, since they have heretofore protested to the supreme authority then in England, not to own their intrusion upon their territories and dominions. As to indebted persons, if any be here that are to you engaged, our courts are open, and our justice speedy, and denied to none that shall demand it of us, which we think is as much as can in reason be expected, and the self-same course we take, and the only remedy we afford to our neighbour colony of Virginia, and our fellow-subjects and brethren of England. Thus hoping that you will seriously weigh the consequences of your actions, we rest in expectation of such a compliance as the style you give yourselves imports, having taught us to subscribe ourselves your affectionate friends and neighbours.”¹

Further pro-
ceedings.

After which, “Ordered, that notice be given to the ambassadors to attend their answer the next day.”

“After the answer agreed upon, Messrs. Herman and Waldron presented the following paper:

Paper de-
livered by
commission-
ers on the
patent of
Lord Balti-
more.

“Upon the sight and view of my Lord Baltimore’s patent, this 7th day of October, 1659, presented unto us by the honourable governor and council of Maryland.

“To say, reserved only what the honourable governor-general and council of the New Netherlands, in the behalf of our lords proprietors and sovereigns, the high and mighty States-General of the United Provinces might have to allege against it.

“We repeat and reply our former declaration and manifestation the 6th of this instant delivered unto the honourable governor and council of the province of Maryland, and say further,

“That the original foundation of the aforesaid patent sheweth and maketh appear that my Lord Baltimore has hath to his royal majesty of England petitioned for a country in the parts of America which was not seated and taken up before, only inhabited, (as he saith,) by a certain barbarous people, the Indians; upon which ground his royal majesty did grant and confirm the said patent.

¹ N. Y. Hist. Soc. Coll. vol. iii. pp. 384, 385.

"But now whereas our South River, of old called Nassau River of the New Netherlands, (by the English surnamed Delaware,) was taken up, appropriated, and purchased by virtue of commission and grant from the high and mighty States-General of the United Provinces long before; therefore is his royal majesty's intention and justice not to have given and granted that part of a country which before was taken in possession and seated by the subjects of the high and mighty States-General of the United Provinces, as is declared and manifested heretofore; so that the claim my Lord Baltimore's patent speaks of, to Delaware Bay or a part thereof, in several other respects and punctuality is invalid; of which we desire that notice may be taken. *Actum* as above.

AUGUSTINE HERMAN,
"RESOLVED WALDRON."¹

The council again met on the 8th; the answer was tendered, but there being some errors in the clerk's copy, they adjourned till the 9th, when the ambassadors being present, it was signed by the governor, dated 9th, and "so delivered to the ambassadors."

Thus terminated the discussion, conducted on both sides with coolness and moderation. The Dutch certainly presented their claim in a very forcible, clear, and able manner.²

The journal of Messrs. Herman and Waldron is preserved entire on the records. The following abstract of it shows their route, the dangers they encountered, and the manner in which they conducted their negotiations, which unfortunately terminated unsuccessfully.

On the 30th of September, Messrs. Herman and Waldron, and a few soldiers for convoy, left New Amstel; about three miles they came to a small creek which empties into Jagersland Creek; a west-north-west course brought them to another creek; course westward, a march of three miles, they came to another running stream; the savages here refused to proceed, and they encamped for the night. Heard a shot fired towards north, the savages supposed it to be from some Englishmen; the company fired three times, not answered. The next day, (October 1,) they pursued a west to south course,

The journal of Herman and Waldron, on mission to governor of Maryland, and interview with him and council. Their departure and events of the journey.

¹ N. Y. Hist. Soc. Coll. vol. iii. pp. 384, 385.

² The foregoing are from the copy made from the Maryland Records, by J. Leeds Bozman, Esq., for N. Y. Hist. Soc., and published in their Collections, vol. iii.

1659. crossed two streams, suspected to be branches of South River; they then passed through dry underwood, the land somewhat rising, then a valley, till 9 o'clock, when they arrived at the first current stream, which the savages said emptied into the Bay of Virginia; there they breakfasted, and guessed they were about five miles from New Amstel; the savages called the creek Curriamus, or Horekill, as the whole tract is named after it; from this they passed through woods, south-west and west-south-west, without a path, and about a mile further along the creek, where they met with the boat, which the savages informed them had been drawn on land, and thoroughly dried. Dismissing their guides, they proceeded by water, except Sander Boyer, who, with his savages, continued, but soon the boat being half filled with water, they were obliged to go on shore, caulked it with rags, instead of the tow, which they had left behind, made it tolerably tight with bailing, reached Elk River, and at last, at east branch of it, made a fire in the woods, and with the evening tide proceeded on with great trouble, as the boat was very leaky, and had neither rudder nor oars, but only *pagays*, (perhaps paddles.)

Arrival at
Sassafras Ri-
ver. Find a
fugitive sol-
dier from Al-
tona.

Also, Swedes
and Finns,
part of
Printz's co-
lony.

Adventure
with the
owner of the
boat

Arrive at
Col. Utie's.
Great firing
heard.

Having rowed nearly all night on Elk River, about 8 o'clock, (October 2,) arrived near Sassafras River, and stopped there at a plantation of one John Turner, where they met Abraham De Fin, a soldier of Altona, who had run away with a Dutch woman; a pardon was offered if they would return to New Amstel or to Manhattan in one month. The woman accepted, she had three months to serve; soldier made many objections, but made two oars for the company; sent Sander Boyer on shore for information; could get none, as *only a few Finns and Swedes* were there, who had run away from Governor Printz. After some rest they continued on, but had scarce left the shore, than Abraham and another, Marcus De Fin, approached in a canoe, and endeavoured to obstruct their passage, claiming the boat, although assuring them they should have the boat on their return; they stopped the company by force, drawing a pistol and threatening to fire; they had, besides, two guns with them. At last, with great difficulty, they succeeded in getting rid of them. At the mouth of the river they came to Colonel Utie's; heard strong firing, supposed to proceed from fifty or sixty men, "neither was the noise of music much less," which continued through a great part of the night, so that it seemed they were preparing to visit

South River. Looking for information, they came to a beginning plantation, hewing and cutting of timber for a building, but the carpenter, who was known to the company, knew not the object of the firing, unless they were feasting. He invited them to stay with him, as there was no other house nearer Kent, but they pursued their journey two miles further. Wishing to despatch a savage to New Amstel with the tidings, they could find none. 1659.

Rowed (October 3) with the tide of that day and night, till opposite Pooloo Island; they passed in their leaky boat to the east of it; from here to Kent there is no fresh water. Towards evening arrived at north side of Kent Island, where meeting a strong flood, and much fatigued, took quarters with Captain Wike, one of the three magistrates of the island. Of him they endeavoured to learn whether the English had laid any regular plan for attacking South River; had understood it belonged to Maryland, and was obliged to sustain Lord Baltimore in his right and title; the company undertook to prove the contrary, and "he who would have must get it by force; that we were prepared with more than one hundred soldiers arrived, and double expected, yet we hoped to live on friendly terms." During the discussion, they heard of a rumour from Mr. Bateman, who had sent for Mr. Wright, an Indian interpreter from above the bay, that the Indians, with regard to the war they were engaged in with the English, had confessed they had been stirred up by the Dutch who lived at Whorekill, to murder the English, which took place thus: "a certain savage met a Dutchman at Whorekill, and told him he would kill a Dutchman, because his father had been killed by a Dutchman before, to which the Dutchman replied, that his father had been killed by an Englishman, and therefore ought to take revenge on them, on which a savage went off and killed an Englishman; thus the war was continued, aided by the Dutch, in supplying arms, &c. I denied it at first, then palliated it. Inquired for a boat to take us to the governor, as ours could be no longer used, so he offered his. Inquired what security we could give, to return or pay for it, as he had been frequently deceived; they had none but their word and credentials, or refer to Mr. Brown, who they presumed had arrived with his ketch at Seafor; they agreed at twenty pounds of tobacco per day for the boat, and twenty pounds for the man. Here we met

Arrive at
Kent Island.
Entertained
there. A
discussion.

Report
against the
Dutch.

Bargain for
another boat.

1659. the soldier's wife, who was willing to go back; he was so lazy as not to earn bread for her, and therefore she ran off.

Arrive at
Seaform.

Arrived (October 4) at Seaform; Brown had not; Captain Wickes proposed to procure lodgings for us at Colonel Utie's, who, they understood, was at his plantation; excused themselves, saying they were confident he was on the island, as they heard such a grand firing; took lodging at a savage trader's, who was from home, his wife and child only there; the company blamed her husband for enticing away the people from New Amstel; she excused him by saying they came there, and left scarcely victuals enough for the family.

Difficulty
about pay-
ing for the
boat.

Passed (October 5) a draft on Mr. Brown for the boat-owner; not satisfied; must have at Kent or Seaform, 1500 pounds tobacco, or pay at Manhattan in brandy. Declined a visit to Colonel Utie, as they had urgent business with governor. Had a fine run to Billingly plantation, at the cleft, hearing of no preparations against South River.

Arrive at Pa-
tuxent.

Arrived (October 6) at Patuxent, at Colonel Coortsey's, who was "very courteous, and conversed pleasantly." Here they learned that Colonel Utie was authorized to communicate to the colony of New Amstel that they had settled on Maryland limits, and ought to submit. The company then presented their claims by possession, &c. for so many years, as before.

Proceed by
land to Se-
cretary Cal-
vert's, and
tell him
their busi-
ness.

They left at Colonel Coortsey's, (October 7,) their boat, travelled nine miles by land to Secretary P. Calvert's, Mr. Coortsey with them part of the way; about 3 o'clock arrived at Calvert's; despatched two men to inform him of their arrival; could not forbear to pay him their respects; passed over the creek to Mr. Overfees, where we intended to take up our quarters, previously having communicated to the secretary our commission to the governor of Maryland on important business, and requested him to notify the governor as soon as possible, as he lived several miles off, of our arrival, and recommend an early audience.

Dine with
Secretary
Calvert at
Overfee's.
Pleasant con-
versation.

Mr. Overfees invited Calvert to dine with them, (October 8,) he and his next neighbour also; renewed request to secretary to inform the governor, as expenses were heavy, including the boat, and soldiers all waiting their return, besides more than one hundred soldiers arrived from Mannhattans; he promised to do all he could, but it could not be effected before next

court. They conversed freely on differences between Virginia and Maryland, wished happiness to Maryland and *Mannahattans*. "This, we remarked, denoted the whole land, having retained its ancient name from the tribe of savages among whom the Dutch made a beginning of the first settlement, and so gradually we struck on the point of the limits, which he said of Maryland was 38° to 40° , along the sea, by which Delaware Bay was included, and then in a direct course to *Paman's* Island, and thence to origin of Potomac River. We answered 38° to 40° ought to be understood of Chesapeake Bay upward, and then colony of Virginia reached same bay to the sea. He replied, 'not so, and that it ought to meet the limits of New England.' On which we asked, 'where then would remain New Netherlands, if their limits were to join New England,' to which he answered 'he did not know.' Then we said, 'that we knew it for us both together, that it was a mistake, and that our New Netherlands were in possession of these limits several years before Lord Baltimore obtained his patent, and that they actually settled these spots; alleging further, among other reasons, that Edmund Preyton (Ployden?) made in former days a claim on Delaware Bay, and that the one pretension had not been better supported than the other;' to which he replied, 'that Preyton had not obtained a commission, and was in England thrown in jail for his debts; he acknowledged that he solicited by the king a patent of *Novum Albium*, but which had been refused, on which he addressed himself to the viceroy of Ireland, of whom he obtained a patent, but that it was of no value at all.' On this we confounded him entirely with his own words, by saying, that it could not be known of my Lord Baltimore's pretension, if he had any on the Delaware Bay, had obtained these by false or foreign representations; neither could it be believed that the king of England, who once took notice of the Dutch plantations in New Netherlands, and who commanded those of Virginia and New England, as we could prove by their own English authors, expressly to remain at a distance of one hundred leagues from one another, determined nothing about it. It was therefore an unquestionable proof that he might reach the borders of New England, that it then was void and of no value whatever."

From this time to the 12th, they were waiting the governor's answer; on the 12th, they dined at Mr. Overfees, with

1659.

Discussion
with secretary
on their
claims.

Ployden's
claim introduced.

1659.

Another discussion about claims. A map introduced.

Secretary Calvert; Minister Doughty accidentally came in; Captain Smith's map of Virginia, and another printed about the date of Lord Baltimore's patent, were introduced, differing with each other, from which they endeavoured to prove Lord Baltimore's claim, "but we showed that the Bay of Chesapeake, being so much to north-east, would come on our limits; how can that be, as New England was discovered first. On this we answered, the Dutch had been nearly three years, differing perhaps as early in their own quarters as they in theirs; they counted from Walter Raleigh; we then derive our right from Spain. He answered, we were then not a free nation, &c. &c. Waxing warm, they took up other subjects.

Court day. Governor attending it. Audience day appointed. Horses sent for commissioners.

On the 13th, nothing done; on 14th was court day at Patuxent; petitioned for an audience, and a place to be fixed for a reception; on 15th, near sunset, received an answer, and an invitation from Calvert, in name of governor and council, for an audience at house of Mr. Bateman, and sent two horses for them.

Arrive at Potusk. Meet governor, &c. Courteous reception and dinner.

On 16th, they started for Bateman's, at Potusk, about eighteen miles; at about 3 or 4, arrived Governor Fendall, Secretary Calvert, &c., who, after a courteous reception and congratulations, dinner was announced, after which the governor promised an audience, advancing towards the table; Herman was placed on his left, the secretary on the right, then followed Waldron and the members of council, all around the table. During dinner a pleasant conversation ensued.

Negotiations commence after dinner. Discussions and explanations.

When the cloth was removed, their letters and credentials were opened by governor, who seeing they were in Dutch, called Mr. Overfee to interpret them. The commissioners then began their speech in English, delivering at the same time, duplicates of their papers, the secretary comparing as they were read; this being all they had to communicate at this time, copies were exchanged and the originals left. "We observed an astonishing change. As it appeared council had no correct knowledge of what had passed, governor asked if his letter by Utie had not been received by director-general and council. We said, no, they received no letter; we were informed on South River that Alricks received a private one in answer to one of his, without date, time, or place, of which he could take no notice." Governor said he had no intention to meddle with the government at Manhattan, but with that go-

vernment and people who settled on Delaware Bay lately, within their limits, and that he once did send Colonel Utie to them, and that he should have delivered his instructions, though only given to regulate his conduct, and in behalf of his responsibility, though we were not obliged to deliver to them our instructions; to which we replied, "that the governor and inhabitants on South River made no separate government, but a subaltern and subject, being only vice-governors and members of New Netherlands," &c. They answered, "they knew no better, and had always understood that the general director on South River, in Delaware Bay, did hold his commission from the city of Amsterdam, and had settled there with his people as in a separate government. We answered "No, but that the city of Amsterdam was in possession of that place as a colony and a particular member of New Netherland, in a similar manner as their colonies in Virginia and Maryland were subsisting, and we had many similar colonies in New Netherland, so that any injustice or injury committed against the colony of New Amstel, was perpetrated against the whole state of New Netherland." Meanwhile, Colonel Nathaniel said, with great vehemence, "that they might take notice of all what had happened, but that all which was done against people which had dared to settle within the province of my Lord Baltimore, and if governor and council would be pleased to renew his commission, he would do once more what he had done before." To which we replied, "If you returned once more, and acted in the same manner as before, you would lose the name of ambassador, and be considered as a perturbator of the public peace, because it is not lawful in an ambassador or delegate to attempt any other thing than to present, in a courteous manner, his message to the magistrates or supreme chief to whom he was sent; but that it was the language of open hostility, a language of war, to summon a place to surrender in such a manner as by fire and sword." To this he answered, "that he had not done so, further than his instructions and commission justified." We again answered, "that they would only pay regard to the answer which they received in return, and therein he would clearly perceive in what manner he made his." To this he further said, "that he too had understood that they had threatened to transport him to Holland, which he wished they had executed." We replied, "that if he once

1659.

Ill humour
and threats
of Col. Utie.
Reply of the
commission-
ers.

Col. Utie
again re-
plies.

1659. more returned there, and acted again in that manner, perhaps nothing better might be his lot." He answered, "in what manner then ought he to have conducted himself; he had despatched two of his men before him, to notify his arrival, after which he took up his abode in the city, and if it then was not permitted to take a walk and look at the place, and converse with its inhabitants, who invited him to enter their lodgings." We answered, "that it was well permitted to do this, but not to stir up revolt and rebellion against the magistrates, and threaten them, if they would not voluntarily surrender, that they were to be plundered and expelled, so that those altercations caused uneasiness on both sides;" and the colonel particularly glowing with rage, was commanded by the governor to keep himself more reasonable; that nevertheless we remained at full liberty to explain ourselves without interrupting each other; on which we appealed to what we had brought with us in answer from New Netherland, which we had declared and made known, and which we solicited might be taken into serious consideration, so that we might avoid any frivolous discourses. The governor hinted, among other points, that we had arrived there without having demanded or obtained, as ought to have been done, a license, and which they ought to have communicated; to which we answered, "that we were yet unacquainted with the form of the government, but would conduct ourselves in future in conformity to their customs, as they should deem proper to establish on such a passage." On this Colonel Utie exclaimed, "that we ought to have stopped at his island to inquire there, if we should be admitted to land; further, in so many words, that if he had met us, or had known any thing about it, he would in such case have kept us there, and not permitted us to proceed further," when one of the council interrupting him, said, "that then we should have been accommodated there with a better vessel, as we declared we arrived in a small leaky boat, as we would not wait to procure a better vessel." We, however, clearly perceived, that if we had not exerted ourselves to the utmost on the road, to avoid Colonel Utie, he would have left nothing untried to disappoint us, and frustrate our plan. After these discussions, we were requested to retire. After discussing among themselves, we again returned, and were informed that what they had done was under special commission of Lord Baltimore and their oath; to-
- Col. Utie checked by the governor.
- Remarks of the governor, and reply of commissioners.
- Col. Utie again speaks.
- Commissioners retire, but again return.

morrow they would hear Lord Baltimore's intentions, and we should be despatched on Saturday. 1659.

In the mean time, we had friendly discussions with them individually, on various points. We proposed to submit matters to a committee of both nations, or enter into a friendly correspondence for trade, &c. While they seemed to consent, they were inclined to defend their rights under their patent. Had also a private interview with the governor, who showed Lord Baltimore's patent; we asked a copy; permitted to make an extract. Governor and council go to hold a country court. Commissioners found that Lord Baltimore had requested lands not yet settled and cultivated, and only inhabited by savages. Thus we concluded that our South River, named anciently Nassau River, was ours, in virtue of our commission and grant of their High Mightinesses the States-General, and hath long been settled before appropriated and purchased, &c., so that Lord Baltimore's pretensions, as far as related to the Delaware Bay, or part of it, was invalid. At P. M. governor and council returned; after supper, delivered our answer in writing; read it to them. We observed a new change in them. Governor observed, that our sayings and acts to the contrary rendered invalid said patent, as it was given by his majesty with full instructions that Delaware Bay remains to the English. They required our patent of New Netherland and Delaware Bay; we answered, we did not need expose it at present, as we did not come for the purpose, but only to prepare a day for a future meeting between both parties. Governor then thought he ought not to have shown his. We replied, we intended no other use of it than for Delaware. Governor said Claiborne had before made the same objection regarding island of Kent, of which he had taken possession before the patent, but did not avail, as he had to implore Lord Baltimore to save his life. We replied, this was a different case; we were not subjects of England, but of the Dutch nation, and had as much right to settle parts of America as any others.

Governor again (on 18th) demanded to see our patent of South River; had it not with us, but would show it at a future meeting. Some members retired to frame an answer, which was read to us. We asked if this was all; said they had nothing else. Some remarks on soldiers' hostilities, that each must pursue his own course. We replied, we should

Various informal conversations with members of council, and private interview with governor.

Written answer of commissioners delivered. Governor's remarks. Asks for patent.

Commissioners excuse themselves.

Governor again asks for patent.

1659. prepare ourselves for defence, as before declared and solemnly protested; well knew that they would not attack us in a clandestine manner, &c. &c. They replied, they would use their own pleasure; payment for runaways might be settled by courts, but we could not compel them to return, because they considered Delaware in their jurisdiction; the meeting concluded.

Runaways to be settled for by courts.

"Dutch-Swedes" explained to governor.

Governor asked the meaning of "Dutch Swedes," which we had used in our declaration; the greatest number being of them; they had been partners and associates residing for a time under jurisdiction of the company, or rather connived at, but who became more insolent, so as at length, in a traitorous manner, they surprised Fort New Amstel, before called Fort Casimir, by which director-general and council in New Netherland were compelled to cleanse that neighbourhood of such a vile gang.

Answer handed to commissioners. Inquiries on trade and commerce, and other matters.

October 19, handed an answer to our decision by secretary, neatly written, and bade him farewell, as we could not find that they were inclined to enter into an amicable agreement, without authority from Lord Baltimore, or wait for orders, which he might perhaps convey during summer. Had some conversation on trade and commerce between Delaware and Maryland, by land, which might be done without reaching the question of right; desired him to communicate with his brother, Lord Baltimore.

Inquired with great anxiety about a mountain we had mentioned as a place of meeting, from which the Sassafras River in Virginia, and the kill which empties itself into South River, behind Reedy Island, seem to derive their origin. We had our passage over this mountain, which deserves by us to be examined and surveyed.

Departure of commissioners.

On the 20th they prepare for their departure, and next day despatched Waldron to return by land, with relation of our transactions, and all the papers, while I proceeded to Virginia, to inquire of governor what is his opinion on the subject, to create a division between them both, and purge ourselves of the slander of stirring up the Indians to murder English at Accomac.

Signed, A. HEERMANS."¹

Nov. 11.

Beekman says, "one-third of the seven persons who make out our present garrison, reside out of the fort, and are all

¹ Albany Records, vol. xviii. pp. 337—364.

married persons." A court-martial had been held on a drunken sergeant.¹ 1659.

A galliot arrives with letters from Peter Stuyvesant; Alricks offers her to the director-general, if he has any occasion for her services. Hudde is going to Manhattan. Beekman says he has sold his mill to Hinoyossa.² Dec. 3.

Much uneasiness was created by the following circumstance, related in a letter from Beekman to Stuyvesant: Dec. 13.

"John Schelten and John Tenneson discovered some powder concealed in the desk; Hinoyossa was informed of it; they are now conversing upon this point, now by the one, then by Van Ruyven; then calling for an advocate. We are called their masters, and yet too often they seem to follow their pleasure, but we shall be on our guard. We examined several, and inquired if they had not been commanded by Van Ruyven and Captain Krygier to go to Manhattan, and if they had not been willing to go thither before the commissaries arrived here. The same question was proposed to Reyneer Van Hayst, but we made no discovery, which it seems not their wish we should do. It seems, however, that some person here or there lays concealed, and that there were some clandestine machinations by some individuals in the community, against the commissioners of your honour, during their short residence here." Discovery of powder; causes some alarm.

"I consider *Mr. Carman* in great danger, if my information is correct; his wife conveyed secretly all her principal property to her trusty friends, as they call him openly a speculator; in short, they cause a vast deal of trouble and anxiety."

"On the 26th of last month, the sheriff and commissioners proposed, in their ordinary meeting, that I should charge each family of the Swedes and Finn nations with a tax of six gl., or with so much as annually might be required for our ordinary expenses, which, by their calculation, would amount to about 400 guilders. I answered, they should prepare a correct list of all the families. I expect, meanwhile, to be favoured with your advice in what manner I am to conduct myself." Proposal to tax the Swedes and Finns.

"The Rev. Wellius was yesterday buried. He died on the tenth day of his sickness. I too, was last Monday night attacked by an ardent fever; my breast became suddenly Death of Rev. Wellius. Sickness of Beekman.

¹ Albany Records, vol. xvii. p. 18.

² Ibid. p. 20.

1659. { very much oppressed, with violent pains in the side, so that I appeared in a very forlorn situation. I discharged, during three days and nights, nothing but bloody flux, by a copious discharge, so that the sight of it created a great alarm, which debilitated me so much that I can scarcely go alone without great difficulty. I hope and pray that it may please God to spare my life yet a little while, for my wife and little children's sake. I write this with great difficulty."

Hinoyossa going to Holland with a remonstrance.

"As an imperious necessity required it, and your honour might be informed of it through another channel, I am pleased to inform your honour that the honourable Hinoyossa, not later than Monday next, goes to Holland in a Virginia vessel, carrying with him a remonstrance to the burgomasters of Amsterdam."¹

Dec. 21.

P. Stuyvesant informs West India Company of the appointment of Waldron and Heermans commissioners to Maryland. Sends copies of instructions, &c. Asks advice and assistance.

The director-general announces, in a letter of this date, to the company in Holland, the appointment of Augustus Heermans and Resolved Waldron, as commissioners to the governor of Maryland, and sends them a copy of their "letter of credence and instructions," as well as the journal kept by them, including a letter of the governor of Maryland, "from which," they say, "your honours may see, that notwithstanding our remonstrance and that of the commissioners, with regard to the honourable company's indisputable title, right, and actual possession of South River, those of Maryland held fast to their frivolous pretensions, from which it may be presumed that they will take hold of the first opportunity to expel our people from our possessions, unless, ere long, by your honours and the burgomasters of Amsterdam, regard is paid to the population and defence of these parts. We are already informed, with some certainty, that the governor of Maryland had already caused a survey to be made of these lands, at the distance of about one or two miles from the fortress of New Amstel, and made a distribution of these among several inhabitants of Maryland, against whom, if they take actual possession, we solicit earnestly your honour's orders, to know what we have to do, and how to conduct ourselves against such usurpers, if they left for a while the aforesaid fortress unmolested, and at the same time the necessary and efficacious means to execute your honour's orders with reputation."²

The directors of the West India Company again allude, in

¹ Albany Records, vol. xvii. p. 22.

² Ibid. vol. xviii.

their letters to Peter Stuyvesant, to the increasing difficulties on the South River, and speak of negotiations being in progress with the burgomasters, for the retransfer of the colony of the city to the company. They say, "we see, however, from the documents, that Collector Beekman, on South River, has engaged some soldiers without your honour's knowledge, which ought not to have been done without communication to, and special orders of your council, to whom the general direction is intrusted."¹

1659.
 {
 Soldiers raised by Beekman, without the knowledge of P. Stuyvesant. Censured.

"We observe, with regret, the unfavourable situation and decline of the colony of the city on South River, but as we have already discussed this point at large in our last letter, we shall now pass it by."

"It occasioned us, indeed, deep regret, when we were informed of the difficulties which are threatening the colony of this city on South River, as unlawful usurpers seem to stand at the door. We are pleased with the measures and exertions by which your honour intended to avert the danger, while it is our great concern that this settlement should, by all possible means, be preserved; not only because, if it prospers and remains respected by its neighbours, it is a bulwark for the settlements of the company against any enemy on that quarter, but because it may be presumed the said colony might ere long be given in property to the company, as we are actually negotiating on this point with the burgomasters, and will inform you of the issue, if it is concluded."²

Bad condition of colony of city. Negotiations between company and burgomasters about it.

In a letter to the West India Company, Stuyvesant alludes to differences between Van Ruyven and Krygier, and Alricks, in which the latter charges the company and commissaries "with all the troubles which have been raised in the colony, as its depopulation by retreat of colonists, and of the colony's soldiers, consequently the ruin of the whole colony, if this or any place depending on it was lost." Refers to "his frivolous and abusive protest, charging us as impudently as falsely, that we absolutely commanded to recall the garrison from the Whorekill."³

Dec. 26.
 Difficulties between Van Ruyven, &c. and Alricks.

Jacob Alricks, the vice-director of the city's colony of New Amstel, died, having previously nominated Alexander D'Hinoyossa his successor, and Gerit Van Gezel, secretary. His continuance in office was short, and his administration con-

Dec. 30.
 Death of Vice-director Alricks.

¹ Albany Records, vol. iv. p. 317

² Ibid. p. 326.

³ Ibid. vol. xviii. p. 66.

1659. sidered rather prejudicial to the interests of the colony; as we have seen he was censured for his conduct, and many of the evils which befell the colony were charged to him, whether justly or not it is difficult to determine, as so much jealousy existed at that time, in those who were perhaps interested in his downfall. Some disgraceful proceedings at the time of his death will be noticed in the early part of the next year. It is said he left the colony considerably in debt, but probably much allowance must be made for the peculiar circumstances which surrounded him, such as prevailing sickness, want of provisions, the death of his wife this same year, &c. Many Dutch families had removed to Maryland, and it is said the inhabited part of the colony did not at this time extend two Dutch miles from the fort.¹ Only ten soldiers remained in the fort here, and five at Whorekill.

1660.

January 14. The death of Jacob Alricks, which has already been mentioned, produced some trouble in the city's colony. Mr. Beekman, in a letter of this date, says, "since my last by the galliot, we lost, at New Amstel, the honourable director, Jacob Alricks, who died December 30. His death causes a great alteration in the colony, and principally so among the council and the heirs. The honourable D'Hinoyossa was, by his last will, designated his successor, and if I am well informed, said Jacob Alricks conducted himself generally in a fierce and forcible manner, by which many were alienated from him, so that it is nothing surprising that the inhabitants generally wish that you could make it convenient to arrive here in the spring, to establish good order, and appoint another director.

Convention of schepens, &c. on Alricks's affairs. "While I was dictating this letter, there arrived here a cousin of Mr. Alricks, deceased, with a package of letters from Mr. Van Gezel, who informed me that after my departure yesterday, there had been again a convocation of the *schepens* and *vroedshap* of the city, which happens nearly every day under his present administration. He wished to obtain from them that the honourable Alricks had very unhappily directed his administration, which they declined; nay, they would not appear again upon the third and fourth notice, whereupon Elmerhuysen and Mr. Willems were summoned,

¹ Acrelius, 422. Albany Records, vol. xvii. p. 25.

and Mr. Evert, the chorister, was conducted to the fort by the sheriff, the sergeant, and four soldiers, to give his evidence against the deceased director, and at the same time Mr. Van Gezel had been put under arrest in the fort, as he fostered the opinion that he stirred up the people against him; so that it has a great deal of appearance that the affairs will come there in great confusion."

"Complaints against Jan Juriansen Becker, for selling liquors to the soldiers for cash or on credit; yea some, principally young lads, drank up two or three months' wages before they stayed here six or seven weeks. They delivered him a note of hand, in which it was written that he had *provided them with the necessaries of life to the amount*. I am obliged to forbid it, but he continues secretly. This credit has been the cause that two soldiers, being intoxicated, burnt a small canoe of the savages, on which the savages threatened to set fire to a house, or shoot our cattle, so that I was compelled to satisfy them. Every necessary is here very high."

Beekman asks "that his son may be gratified with appointment and wages of an *adelborst*."¹

Some savages report that two corpses of savages had been found by savages in the underwood, on a marsh, supposed to have been murdered by Christians, at which the savages were highly dissatisfied, and threaten those of New Amstel. I cannot, however, ascertain the fact, but communicate it to D'Hinoyossa."²

In New Amstel, Cornelis Van Gezel was removed from office, and in his place John Prato appointed as councillor. The sheriff, Van Sweringen, acts as secretary; "so that the present administration now consists of honourable D'Hinoyossa, Van Sweringen, and Prato, while they assume to their aid in all extraordinary transactions, Mr. Williams, the surgeon, and the gunner, John Block. D'Hinoyossa has again engaged Peter Alricks in his service, to act as commander on the Whorekills, in the spring."³

"Some farmers arrived here in the ship Golden Mill, and settled opposite to our fort; complain of want of subsistence, as they gathered very little from the land, and received their plant-maize, from Alricks, which they received late, and being English corn, came very late to maturity, and was

¹ Beekman's Letter in Albany Records, vol. xvii. pp. 25—33.

² Ibid.

³ Acrelius, p. 424.

1660.

Distressed
situation of
some new-
settled far-
mers.

frozen in the field, so that they have scarce any victuals, neither do they possess the means of obtaining it from anywhere else, not even from D'Hinoyossa, notwithstanding he invited them to New Amstel, with promise of his assistance. He distributed to seven or eight families one quarter of maize to each, and told them he did so only in his individual capacity. It is true these farmers had a considerable quantity of winter corn, but several persons are of opinion, if they cannot receive aid, they will be obliged to abandon the soil before the new harvest of corn, as they already sold their clothes last winter to keep themselves alive."

"Since two days, the river is free from ice, and again navigable. We are in great want of a *drum*, as ours is too decayed for use."¹

Feb. 3.

Murderers of
the three
savages as-
certained.
Consulta-
tions about
it with the
Indians.

"We received information with regard to the murderers of the three savages, among whom is one Minqua. The deed was perpetrated on the farm of honourable Alricks, deceased, by two of his servants, who, on 26th ultimo, were imprisoned by honourable D'Hinoyossa. This affair will cost us a great deal of trouble, as it is reported the savages are resolved to take revenge on those of New Amstel. I was yesterday there, and observed that they who resided at some distance from that place fled to the nearest houses under the fort. I heard many complaints against D'Hinoyossa; among various others, that he should have said that he would contribute not a farthing in this case of murder, but that it must be borne by the community, and that he was pretty indifferent whether the savages went to war or not. This is only report. I will try to induce him to a peaceable course."

Meeting in
consequence
of the mur-
der.

"This instant I received a letter from Sheriff Van Dyck, whom I had requested to come to New Amstel with the commissaries, when the savages intended to meet there, to converse about the murder, as the constitution and manners of the savages were better known to them than to us new comers. They excused themselves, however, as they did not receive a special and written message from the director-general and council of New Amstel, and further, they informed us that the savages told them they ought not to interfere or meddle in any manner with this business, because they of *Smith's Corner of New Amstel* were of the same nation, yet they would, if in any manner possible, come to-morrow, to

¹ Beekman's Letters, Albany Records, vol. xvii. pp. 33, 34.

act then together in concert; that it would not answer to refuse their aid, if necessity required, if solicited to bestow it, as this might prevent bloodshed."¹ 1660.

"Cornelis Van Gezel arrived here at Altona on 30th; persists in avoiding to meet the honourable D'Hinoyossa, who had commanded him that he should declare on his solemn oath, upon penalty of 25 guilders, what property the honourable Alricks left behind. He said that he was daily so troubled and insulted, that he would not longer be induced to remain there, when D'Hinoyossa carried from Gezel's house a large *mirror and painting*, apparently on the fine of 25 guilders, because he had not appeared before him."

Conduct of
D'Hinoyossa
towards Van
Gezel.

"On the 1st instant, I received from D'Hinoyossa a sealed letter, without address, who sent with it an apology, that he had no time to write the address, *without breaking in upon his laziness*. He inquires if Gezel is here, and if he intended to go to Manhattan by land, which he took amiss, as Van Gezel was yet holden to bring in his accounts as *au-
tioneer*, and those of the *orphan-house*. When I communi-
cated this to Gezel, he immediately returned thither.

Auctioneer
and orphan-
house.

"He mentioned too, in the same letter, that he and his council had commanded that a *fast and prayer day* should be holden on the first Monday of each month.

Monthly fast
and prayer-
day.

"While copying this in a hurry, I unexpectedly received a message from Van Gezel, soliciting that he might be informed if I could protect him from D'Hinoyossa's violence, as D'Hinoyossa presumed to say that if he retreated to Altona, and should not be delivered up at his summons, that he would carry him off with force; to which I answered, that I would directly communicate the affair to your honour, and that meanwhile I would protect him till I should receive your answer."

Van Gezel
asks protec-
tion of Beek-
man at Al-
tona.

"Jan Schoeten arrived here from Maryland, as I was ready to seal this, who says, that many there would return here, if I would assure them of my protection, which I promised till I should receive your orders on the subject."²

Return of
fugitives to
Maryland.

The following case shows the state of crime and the mode of punishment; the sentence was signed by Beekman, at Altona: "Gerrit Hermans and Govert Jansen having quarrelled together, the former was wounded on the left hand with

February 20.
Case of crime
and punish-
ment.

¹ Albany Records, Beekman's Letter, vol. xvii. p. 39.

² Ibid.

1660. the latter's sword, the little finger being cut off, and other severe wounds inflicted on the palm of the hand. Govert Jansen, with the full consent of the sergeant, is condemned to pay the account of the patient, in compensation for the loss of his finger, and the laming of the second also, 60 guilders, and besides to defray the expense while under the care of the surgeon, and be condemned for six weeks to the spade and wheelbarrow in the fort," which sentence was approved by director-general and council at Fort Amsterdam, in form, May 31.¹

March 1.
Murder of
savages by
two Chris-
tians. Dele-
gates ap-
pointed to in-
vestigate it.
Their in-
structions.

D'Hinoyossa and Beekman inform Stuyvesant of a horrible murder committed on a savage on South River, near the colony of New Amstel, and that it was probably done by two "so named Christians," for which they were apprehended. Stuyvesant enters into a long argument on the importance of their conviction and execution at South River, where he cannot go, and concludes to send his attorney-general, Nicasius De Sille, with William Beekman, on behalf of the company, Alexander D'Hinoyossa, on part of burgomasters, provisional director in the colony, Paulus Lindert Van De Graft, old burgomaster of Amsterdam, G. Van Sweringen, as provisional sheriff and commissary, Jacobus Backer, acting schepen, and John Prato, adopted member of council, as delegates. They were qualified, with the following instructions :

1. When arrived on South River with the yacht Sea-Bear, with one or two of their body must inquire into the circumstances relative to the murder.

2. When inquiry is made, delinquents discovered, and by sufficient proofs and voluntary confession convicted, then prosecute them before the delegated judge, to make up his conclusion according to law, demand speedy and impartial justice, execute the pronounced judgment, and there on the spot, for others' example.

3. Shall invite the sachem and some individuals to be present, and explain it as an object of friendship, and that they may be made to do so too when Indians kill whites.

4. Inquire about Becker's case of selling rum.

5. In case of Alricks's executor and D'Hinoyossa, exhort them to peace.

6. Advise and assist Andreas Laurens in the military ser-

¹ Albany Records, vol. xxiv.

vice.¹ He is authorized to enlist Swedes and Finns as soldiers, at eight to twelve gl. heavy money.² 1660.

The directors in Amsterdam, after speaking of the conduct of the English, encroaching on the North and South Rivers, say to Stuyvesant, "if they won't be persuaded, they must be dislodged. Your honour ought to oppose, in the same manner, those of Maryland, if they undertook to settle on South River, within our district, first warning them, in a civil manner, not to usurp our territory, but if they despise such kind entreaties, then nothing is left but to drive them from there, as our claims and rights on the lands upon South River are indisputable, not so much (which, however, is the case) as first occupants, but by real purchase from the natives, who were the only real progenitors of the soil."³

Beekman writes to Stuyvesant that he has received his letter of 19th, and that he has endeavoured to reconcile D'Hinoyossa and Van Gezel; that he had directly published the transmitted placard relative to the farmers, and had it affixed at the same time. "On the 8th of February, I sent with Sheriff Van Dyck, a commission at New Amstel, at request of D'Hinoyossa, to enter into an agreement about the murdered savages, and succeeded to their satisfaction; on the 18th, at evening, the next day, the payment was made, the agreement signed, and a receipt given me."

"When employed in concluding an agreement with the savages, I was informed that Mr. Hudde was robbed and killed, on which I directly despatched the sheriff to inquire about it, by the Swedes. When he returned, he reported him as not killed, but plundered, which we then communicated to the sachems, who engaged that every thing should be returned."

"On the 10th February, the *delinquents* were sentenced by D'Hinoyossa, for which he solicited my presence, which I declined, but I asked him if he supposed he was sufficiently qualified to decide such cases; he answered, Yes; then he requested that I would consent to take a place near the fire, with Mr. Elmerhuysen, and hear the debates and decision, to which I consented."

"It is rumoured that Lord Baltimore had arrived in Maryland, and would come to us within three or four days, with 500 men. It is an uncertain rumour; asks for governor's in-

March 9.
Directors in
Holland di-
rect to drive
off Mary-
landers.

March 15.
Agreement
about the
murder of
savages.
Farmers.

Reported
murder and
robbery of
Hudde.

Trial of de-
linquents.

Report of
Lord Balti-
more.

¹ Albany Records, vol. xxiv. pp. 108, 109.

² Ibid. p. 115.

³ Ibid. vol. iv. p. 331.

1660. instructions in such a case, and further, if it is not necessary that the decayed batteries are repaired, either with *sods* or *beams*, which are here at hand, from the *old house on Cuyper's Island*, of which a part was already used to barricade the fort. There is only a small provision of musket balls, and none whatever for our large guns.

No balls for guns or muskets.

March 15. "On the 8th instant, arrived the attorney-general and a few other gentlemen.

"I was lately informed that about twenty families of the Swedish and Finnish nation have resolved to leave this neighbourhood, and go and reside in the colony, which the sheriff and commissaries solicit me to prevent. I answered, I would ask your advice. The Swedish and Finnish nations contain about 130 men capable to bear arms, so Van Dyck writes me."

Swedes and Finns prepare to remove. Their military strength.

Notifies the governor "that the horses are misused by the Swedes, so that I fear, but seldom, if any increase by them, neither is there any prospect in this respect in future, as the mares are spoiled by drawing the whole morning heavy beams; there are only three mares and two stallions alive of the number you sent here, besides two young colts of two years. It would, in my opinion, be preferable to let them run loose in the field, to obtain the increase, or otherwise sell them. Would it not be expedient to make the farmers make some compensation for the horses which have been lost or died.

Swedes use the horses ill. No increase to be expected. Measures proposed.

He asks leave to visit Manhattan, "to bring his two oldest boys to school, and put his affairs in order."

Hudde and Becker.

Hudde applies, through William Beekman, to Peter Stuyvesant, for John Becker's place; "did not know he was dismissed; he is a very worthy, saving man."¹

April 6. Swedes and Finns cannot understand each other.

"I was, last week, for a few days, with the Swedes and Finns; the different settlements cannot converse with each other, for want of a knowledge of their reciprocal language. This took place with those living around *Keneses*, and those about *Aroumerk*, where are now two or three families. It is said from the other side, that those of *Keneses* did oppose them, and desired that we should come to them, which is supported by the sheriff and commissaries."

Proposed changes of location.

"The opposite party said, it is indeed so, that there is no defence whatever, neither a place for any safe retreat, at *Keneses*, as considerable underwood and many streams must be passed; on the contrary, at *Arounderryk* there is a pretty

¹ Albany Records, Beekman's Letter, vol. xvii. p. 45.

large kill, which might be chosen to cover a retreat, or prepare for defence. At Arounderryk they might cultivate their fields, at the other side of the kill, on the *Passayung* road, where is a rich, fruitful soil, and last harvest a considerable quantity of seed was sowed. Some of the commissaries, who actually possess good farms, pretend that, by a similar compromise all are favoured, if the proposals are accepted, while others assert exactly the contrary, each one maintaining his right, and will keep his own farm and lots." 1660.

April 6.

Miss¹ Printz complains that she cannot remove her residence, the heavy buildings not permitting her to change it, and the church where she usually worships being upon that spot. She offers her lands without any compensation, but can nevertheless induce no person to settle in her neighbourhood. Seeing at last that they cannot agree the one with the other, I commanded that within eight or ten days a list should be delivered to me, where it suits best every individual to fix his future residence, and if this could be brought in with the orders and placard of your honour, that in such case I would consent to it, or that otherwise I should be compelled to command and issue my orders where each of them should reside; upon which they earnestly urged, that as they had not received timely information, as had been given to the farmers on the Manhattan, that somewhat longer time might be allowed them, whereas, if the orders must be executed this spring, it would unavoidably cause them great losses, and destroy their plantations; wherefore they deprecated the rigorous execution of the placard. I therefore granted them, under your honour's approbation, four or six weeks longer. Miss Printz, and others too, requested, that when necessity required it, I would aid them, for which purpose a larger number of soldiers would be required. We are much in want of a *drummer*, as also a new *drum*, or a *hide and cords*, as we have not beat a drum for two months; our colours, too, are nearly torn from the staff. Sergeant Andreas Laurens has some time been engaged to persuade some individuals either to enter our service or emigrate to Esopus, to which they were not at all inclined. It seems they are admonished and encouraged by some of the principal leaders among the nation, not to disperse, but remain here, as closely united together as possible, as from the other side the sheriff and com-

Miss Printz
in trouble.

Beekman
proposes to
direct the re-
sidence of
each.

Want a
drum, drum-
mer, and co-
lours.
Enlistments
attempted.

¹ Probably *Mrs.* Printz, as is generally so understood.

1660. missaries in New Amstel opposed themselves to prevent the settling of any of them in that colony."

Permission
to Swedes
and Finns to
remain.

"Gregory Van Dyck says he received your honour's order permitting the Swedes and Finns now residents in the colony, to remain there, so that I insinuated that they might provisionally remain till your further orders. They complained to D'Hinoyossa, who sent me a note about explaining that it must have been done without my knowledge, by the sheriff and commissaries. I answered, I had written for your honour's orders."

H. Coursay
arrives from
Maryland in
pursuit of
servants.

"On the 2d instant, arrived here Mr. Henry Coursay, a merchant in Maryland, with his two brothers and a Swede residing in that neighbourhood. The aforesaid Coursay complained that the honourable D'Hinoyossa declined to do him justice with regard to three servants who, three weeks ago, ran away from him, and had since been engaged by D'Hinoyossa, and sent to Whorekill. He requested I would write to you. He was at an assembly at *Pottspen* when he heard his servants had run off.

A. Hudde
wishes to go
to Maryland.
Knows how
to make
beer.

"Mr. Coursay said that Mr. Heermans was in Maryland; he sent to obtain a safeguard for Mr. Coursay. At his departure, Coursay asked if Andreas Hudde laid us under any obligations, and if he should be permitted to go to Maryland, as Hudde had applied to him and others, if he could be employed by him or them as a *brewer*, and that he knew different ways of making good beer, and would in two or three weeks return to inquire.

A surgeon
applies for
employment.

"Peter Moyer applies for a patent from your honour. Peter Tyneman to be employed as a surgeon by the company. We are in want of a good surgeon, as it happened already more than once; thereto we wanted very much Mr. Williams, the barber, (surgeon,) in this city, but having then some patients there, he could not come hither, and when he came he often had not by him such medicaments as the patients required, wherefore the sick are suffering.

Swedes ask
to remain
till after har-
vest.

"As I was ready to seal this letter, arrived here the commissaries of the Swedish nation, to solicit me to ask you to allow them to remain in their present possessions till they should have harvested their corn. I understood that they intended to *unite then* in a village on *Perslajongh*,¹ that they meanwhile would give satisfaction to the savages for the land.

¹ Probably Passayung.

I answered, it was not permitted to purchase land from savages except with consent of your honour. They replied, they could now obtain it for a trifle. I told them I must await your orders."¹ 1660.

Beekman, in a long letter of this date, gives to the director-general an account of various occurrences. He says, after mentioning the slaughter of eleven of the menacing savages at Esopus, and the resolution of the tribe to act against the Dutch: "I commended your orders to several of the Swedes and Finns, but could not persuade them to go to Esopus; they would not be unwilling, provided they could remain there in peace with the savages, so that your honour cannot depend on their assistance. They prefer making a settlement in the colony, because they cannot obtain, in another district, a sufficient quantity of land to live together; that the small spots they now occupy require too much labour and expense in fencing." April 28. Swedes and Finns unwilling to go to Esopus. Want more land. Expense of fencing too great.

"I delivered D'Hinoyossa your honour's orders and advice in regard to individuals who desired to transport themselves in the colony, provided they were willing to take the oath of allegiance, as directed by your honour. He says in answer, the oath is contrary to the capitulation between your honour and their late Governor Rysingh; that meanwhile he will take an oath of them that they will acknowledge the honourable burgomasters of Amsterdam, as founders and patrons of aforesaid colony, together with the appointed directors and council of the colony, and that they will pay them all reasonable obeisance." Oath to be administered.

"On 16th, returned Sergeant Andreas Laurens, from Maryland; he met only a few of the runaways who were yet at liberty, except, on showing your letters of safeguard, one John Tennison, wife and child, whose property he brought here in Carman's yacht, and which came into the hands of D'Hinoyossa, who valued it, but declined its surrender until a receipt in your honour's name. John Tennison refuses to go to Manhattan, unless his tools and property are delivered up, but would rather return to the English, as he there had the use of the tools of John Barnetson, who was murdered by savages, and whose wife died at Colonel Utie's; whose child had been conducted hither by the sergeant; on which, under secrecy, he had written, at her request, to a soldier's Deserters to Maryland discovered.

¹ Albany Records, vol. xvii. p. 49.

1660.

Child born
on board
ship Prince
Maurice bap-
tized.

wife, one Jacob Claeson, *alias* my friend, which child had there yet to receive 821 pounds of tobacco, &c. J. Claeson took with him to Holland some of this child's property. This child was born on the departure of the honourable Alricks, in the ship Prince Maurice, and was, at the request of the burgomasters, baptized by the name of '*Amstel's Hope*.' Please order if it is to be delivered to the overseers of the orphan-house, or anywhere else.

Soldiers
without
shirts.

"Some of your soldiers are without shirts; therefore send some, and shoes and stockings.

Forlorn con-
dition of the
soldiers, for-
tifications,
&c.

"We are very busy, employed in repairing fortifications, but are much in want of a guard-house about ten or eleven feet large. The guard is now kept where they are now quartered, who come from duty as sentinels, often undress and go to bed, as there is no particular appropriation made for this purpose, neither could it be performed, as the house is too small; so that a guard-house is highly necessary. The comrades, too, are often quarrelling together.

"We have a sufficient quantity of squared timber near the ruins of the *decayed house on the island*, so that the only expense will be to bring it under cover, and make a chimney.

Quarrelsome
man and
wife.
Divorce
asked.

"Among the Finns is a married couple who live together in a constant strife; the wife receives daily a severe drubbing, and is often expelled from the house as a dog. This treatment she suffered a number of years; not a word is said in blame of the wife, whereas he, on the contrary, is an adulterer; on all which the priest, the neighbours, the sheriff, and the commissaries appealed to me, at the solicitation of man and wife, that a *divorce* might take place, and the small property and stock be divided between them." Asks for orders.

Rev. Mr.
Laersen
marries a
couple con-
trary to
usage.

"*Oeleff Stille* opposed himself to me pretty warmly in court, because I suspected him that he, without being authorized, had arrogated to himself to qualify the priest to marry a young couple, without the *usual proclamations*, and against the will of the parents, on which I condemned the priest in a fine of 50 guilders, which said Stille too opposed, saying that it was not our province to meddle with this affair; it ought to be done, if any interference was desirable, by the Swedish consistory, and that we had nothing to do with the priest. Mr. Laersen adopted the same opinion, as our court related to us, last November, on a summons, that we had no

right to interfere with the rights of Christina, so that he did not appear before us. The case was this: Mr. Laerson had complained of assault and battery by Peter Mayer; he was severely struck and wounded in his face, so that I never saw a worse, on which both were summoned to appear before us; but before the court could meet, the affair was settled, pretending the incompetency of the court. On the 19th of August the court met; there were twelve of the Swedish and Finn nation summoned, and a default by the Jager and other Dutchmen in the colony, when an order was issued that for each default which was voluntary and premeditated, and not brought forward by any extraneous or invincible obstacles, as through sickness, or God's wind and weather, should be paid a fine of 10 guilders, so that no person should be delayed in his just pretensions, as there were annually only three or four courts, as circumstances might require. On the 7th of this month, being court, the priest and Mayer were again summoned on the same affair by Sheriff Van Dyck, and further, that Peter Mayer treated another person in the insolent manner, and Peter Mayer deliberately occasioning default, after the 8th, intimation to Jacob Van Vern, in whose behalf the assignment was made by sheriff and commissaries, for liquor received; on which Peter Mayer, coming to me, requested a receipt, making at the same time a great noise, that in this manner the costs were excessive, but that he too would not be at rest till he had a legal security for his land. He told me further, in pretty harsh language, that every year new commissaries ought to be appointed, as entitled, or that he and other freemen were always to be treated as boys, so that constantly we are to be ruled by mad-caps, who did not understand reading or writing, and were to be preferred before him, who was acquainted with letters and penmanship, and that the affairs should be managed in a quite different manner, if he should remain here; with many other similar insolent blubbing; to all which I listened with patience, refuted him with solid arguments, and advised him to go to your honour, and lay his complaints before you. A few days ago, when I sent him a warning to deliver up his horse, his wife came and made a horrible noise; they could not spare the horse, they were not accustomed to carry their wood on their necks; that they had a share in the property of the horse, as well as I, and, be it said with reverence, she did

1660.

Assault and
battery.
Scene in
court. Law
case.

1660. not care a groat about my orders, as they intended to leave soon this spot, on which I menaced to send her to the guard-house, but having no wish to throw her in consternation, as being in her last stage of pregnancy, I let it pass by. In short, this people conduct themselves most despicably. Nevertheless, if they are resolved to move from here and reside in the colony, or any other part, I shall remind him of the fine which he yet owes for selling liquor to the savages. I am informed that the greater part of those now living separately, do intend going to reside in Maryland with a few of the Finns.

April 28.

“While concluding this, I am informed by a soldier that a shallop was in sight, on which I directly went thither, as it was afloat, when I met Captain Krygier, this instant arrived, who handed me your letter. I copied your letter to the honourable D'Hinoyossa, sealed it, and then directly conveyed it to him. He was, he said, much surprised at such a vulgar address, covering such bitter contents, and you might be assured that he would show it from the greatest to the smallest, and even forward it to the states. He said further, he would not do any thing contrary to your orders, but bear all things with patience, but remonstrate against it to his principals. He wished to be informed by me if the colony was again transferred to the company; he understood, at least, by your letter, that a change was in contemplation.”¹

Captain Krygier arrives. Remarks of D'Hinoyossa on P. Stuyvesant's letter. Surrender of colony to company mentioned.

J. J. Becker, for habitually selling liquors at Altona, was condemned in a heavy fine, officially as clerk degraded, and with his family to be banished from South River, but his fine and punishment were finally remitted.²

May 3.

J. Becker dismissed.

“There is a rumour afloat that the colony of the city should have been transferred again, last October, to the West India Company, wherefore says honourable D'Hinoyossa, that he prepares himself to make a transfer of the whole to your honour, so that he may return to Patria with the first sailing vessel, to recover from their honours at Amsterdam the expenses which he made in building and improvements in land, and menacing, if they reject his demands, that he would appeal to the States-General; and it is further said that he endeavours to stir the colonists to demand compensation for the expenses incurred in making this settlement, because the contract with them was broken, and that they were now free

May 12.

Rumours of transfer of the colony to West India Co.

¹ Albany Records, vol. xvii. pp. 51—58.

² Ibid. vol. xxiv. p. 181.

to leave the colony. I have heard further from himself, that
no soldier will be willing to remain in the company's service,
but that all would go with him to Patria, no doubt on his in-
duction. 1660.

"I understood by Captain Krygier that your honour ex-
pects from Patria three or four ministers of the gospel. I
would ardently pray your honour that one of them might be
sent to us here on the river, to promote our welfare, and
which might contribute to increase the population. Ministers of
the gospel
expected.

"I communicated last week, at Tinnico, your discontent-
ment with the sheriff and some of the commissaries, for dis-
couraging and actually preventing some individuals from
emigrating to Esopus. Dissatisfac-
tion with
sheriff.

"I commanded them to inquire and deliver a list of the
number of families who intended to make a settlement at
Passayonck, to consider, before any trouble was taken, or
expense made *for its purchase*; if they would constitute a
handsome village, especially as the greater part are very
poor, and at the same time very unsteady; and further, it
is thought, many of them would prefer going to Maryland
rather than change their place here, but recommends waiting
patiently awhile. Census of
families in-
tending to
reside at
Passyung.

"Miss Printz requests permission, in lieu of her recogni-
tions, to make payment in a fat ox, fat hogs, and bread and corn.
The horses are mentioned as being too small for the farmers. Miss Printz
again.

"A lad arrived here who had been taken by the savages
while strolling in the woods for rabbits. I determined to de-
tain him, notwithstanding the opposition of the savages, as it
is said lately two lads were sold by the savages to the Eng-
lish, and this lad was ransomed two or three months ago by
D'Hinoyossa, for a frock and a small piece of frieze. Lads taken
by the
savages.

"We can only make two distributions more of pork and
beef for the garrison, therefore send some."¹

"Yesterday I arrived at this place. Andreas Hudde arrived
at New Amstel from Altona, to go to Manhattan; in about
half a day he changed his mind, and raised some difficulty by
which he might be prevented. He further complained that
his clothes had such a mean appearance, and further, that he
was unprovided with the means to defray expenses of the
journey, so that he was really too much ashamed to appear
before your honour. He goes with Captain Krygier."² May 13.
Hudde ar-
rives.
Ashamed of
his clothes.

¹ Albany Records, vol. xvii. p. 62, 63.

² Ibid. p. 65.

1660. {
 May 25. Swedes not willing to reside at Passyung.
 "Van Dyck says the community wish me to solicit your honour to remain in their present residences, which petition was delivered by Peter Kock, Peter Andrieson, and Hans Moensen. They said there was not sufficient land obtained at Passayung for the pasture of their creatures, and ardently wished not to remove. If compelled to go, 'then we will go or depart to a spot where we may live in peace.' Sir, their whole plan is to obtain delay, and have no intention to obey their orders, unquestionably a great proof of disrespect; on which I wrote to Van Dyck on 21st instant, and received his answer next day. I requested him to write to your honour that he would delay the execution of that point a little, when he might converse with the principal individuals, and then inform me of their intentions, which on their part I knew were mere excuses.

Mr. Coursay and his servants again.
 "On the 20th instant I received, by a Maqua savage, a letter of Mr. Heermans, dated 26th April, from which it appeared that the strange conduct toward Mr. Coursay by honourable D'Hinoyossa, caused their great displeasure, so that it was actually contemplated to retake his servants by force. He said he might have sent for them hither three or four Dutch runaways, and so procure an exchange with their servants; also, that they were deliberating on a division of the limits, to avoid any disputes with those of Delaware Bay.

Presents to a Minqua chief.
 "The greatest chief of the Minquas was here on the 23d; he showed me his poor coat, which being interpreted, induced me to offer him a coat and a piece of frieze in your honour's name, which was thankfully accepted. I am informed that Jacob Swen sent for him, and gave him a fathom of cloth, four blankets, a gun, and a few other articles."

Sale of liquors to Indians.
 He complains of D'Hinoyossa not restricting the sale of liquors to the Indians in day-light. They have been outrageous.¹

June 17. Indian chiefs visit Altona.
 "Being at Amstel to-day, to inventory the effects of Alricks, I was informed the great sachem from the Minquas country was at Altona, and wished to see me. On arriving, I found that he appeared there with sachem of Hackensack, and three or four savages, among whom, it was said, was the brother of the sachem who was lately killed at Esopus. The great chief informed me that he intended to travel next night to the Manhattans, to try if he could dispose your honour to

¹ Albany Records, vol. xvii. p. 70.

make peace with the savages, and for which end he requested a canoe to go to *Mugokossam*, which was granted. He informed me further, that two of our soldiers were at his house, and requested, on their arrival, that they might be allowed to reside in his country, and cultivate the land. These soldiers deserted on the 10th instant, both young men. 1660.

“On the 11th, Mr. Coursay returned home with his servants, whom he, with consent of D’Hinoyossa, carried off from Whorekills in the yacht of Carman, and they rejoiced indeed to meet their master again. Mr. Coursay obtains his servants.

“I sent the governor of Maryland, Colonel Utie, and the magistrates on the Sassafrax River, a complimentary letter, in which I requested that if any of our soldiers who deserted arrived there, they would arrest or imprison them, and inform us of it by express, at the expense of the company, in which case I would despatch, with their permission, a sergeant, assisted with soldiers, to conduct them home, which Mr. Coursay had not a shadow of doubt would be complied with, Mr. Coursay thanks Governor Stuyvesant for the recovery of his servants. Letter to governor, &c. of Maryland, respecting deserters.

“Several ambassadors passed through here towards the great chief, on the first of the month. Seven canoes full of savages, with their wives and children, came down the river, to emigrate to the Maquas land. It is said they lived before near *Menesing*, and fled from fear of a certain *Manito*. Several Indian chiefs emigrate for fear of a *Manito*.

“Hudde has returned, and I will employ him in his quality.

“Last Saturday we distributed our last meat. I have about one distribution of pork, besides 200 pounds of stockfish. Send by first opportunity.”¹

“Andreas Hudde petitions for a berth, and says, ‘during the terms of thirty-one years nearly, (without boasting,) in all faithfulness he has served the company in this country; that living on South River, he lately had the misfortune of being spoliated by the savages, of all which he possessed, by which he, with his wife and child, are reduced to poverty, not having any means which he can take in hand, at his advanced age, for his maintenance; he therefore solicits the director and company to employ him in the service of the company, as his abilities may present, on a moderate salary, for his maintenance.’ From his statement of his case, and the intercession of the inhabitants in his favour, he is em- June 5. Hudde, an old and faithful public servant, in poverty, asks for employment. Is appointed clerk.

¹ Albany Records, vol. xvii. pp. 72, 73.

1660. ployed as writer and clerk in Commissary Beekman's office."¹
- June 25. Re-transfer of the city's colony to the company suggested. P. Stuyvesant, in writing to the company, alludes to the probable transfer of the city's interest on South River to the company, and says, "If this colony should return to the company, other measures must be adopted, at least a good and efficacious superintendence, to control the officers there in power. If it remains as now, we should not dare to conduct ourselves in issuing useful and necessary orders, such as are required."²
- June 26. How is Beekman to act in case of English? Beekman inquires of Peter Stuyvesant "how I shall conduct myself when any Englishmen, either from abroad or from Virginia, might arrive here, and decline going to Manhattan."³ His answer does not appear.
- June 30. Sale of liquor to savages. Complaints are made by Beekman against D'Hinoyossa, for allowing drink to be sold to the savages; they behave shamefully.
- English from Virginia, &c. Alricks's inventory. Charge by D'Hinoyossa. Mr. Revel came from Virginia, with consent of the governor, to know if we wanted victuals, as he could supply them. The inventory of Alricks's effects is completed. During the progress, D'Hinoyossa goes off for several days, and then charges them with selling the city's property. Sheriff Van Sweringen arrived on 29th.
- Election of commissaries. "Yesterday were elected by D'Hinoyossa, as commissaries, Hendrick Kip, Jacob Crabbe, and Baes Joosten. The community of New Amstel resolved to send a remonstrance to the lords patrons, to maintain and support the colony."⁴
- July 2. Order respecting vessels. The order of 1648, respecting vessels sailing between Manhattan and South River having commissions or orders, is renewed.⁵
- July 27. A galliot arrives. Return cargo. Drum borrowed. Beekman's wife. A galliot arrives, and as soon as unladed, sails up the river for a cargo of clapboards, which was not so near ready as Van Gezel represented; some being more than one quarter of a mile farther, were to be carried down the river in rafts.
- Ferry-boat. Col. Utie. A drum is borrowed from D'Hinoyossa, as that at Altona could not be used. Beekman's wife is going to Manhattan for provisions, &c.
- The ferry-boat at Whorekill sunk. Garrison there complain of want of victuals. Utie says he will inform of runaways.⁶

¹ Albany Records, vol. xxiv. p. 286.² Ibid. vol. xviii. p. 114, 115.³ Ibid. vol. xvii. p. 76.⁴ Ibid. p. 80.⁵ Ibid. vol. xxiv. p. 364, 365.⁶ Ibid.

C. Van Gezel, executor, represents to Peter Stuyvesant that Jacob Alricks in his will named D'Hinoyossa his successor as director, and Van Gezel and Van Sweringen as coun- cillors; "but alas, as soon as the soul had left his body, D'Hinoyossa and Van Sweringen remained during next night in the room where the body was deposited, and ransacked all the papers, letters, and secrets of deeds, read them through, read them to the schepen, and accused the deceased of mal-administration." The governor advises an expert accountant to state his accounts, and recommended D'Hinoyossa to desist.¹ 1660.

August 12.
Conduct of
D'Hinoyossa
and Van
Sweringen
over dead
body of Al-
ricks.

It appears from a letter of Beekman to Peter Stuyvesant, that "on the 11th, a small vessel arrived at New Amstel, laden with Campeachy wood from the West Indies, very leaky, wanting water and provisions; they are considering if they will have repairs here. The proprietors are sons of Sheriff Grotenhuysen, of Amsterdam; their wish is to return as soon as possible. This vessel was last December at Cur- racoa, so that it is sixteen months since she left Holland, and next day after the departure of the galliot, D'Hinoyossa called the community together, to read to them, as he said, from a letter of the burgomasters of Amsterdam, that the patrons were collecting money in behalf of the colony, in order to promote its welfare and increase; that they never for a moment considered to give up this colony, or transfer it to the company, and that now they intended vigorous exer- tions for its strength and support, with sundry other flour- ishes." Beekman sends a list of recusant Swedes; says he is in want of match coats.² August 13.

Vessel ar-
rives in dis-
tress, laden
with Cam-
peachy
wood.

D'Hinoyossa
reads a letter
to communi-
ty, said to be
from burgo-
masters. No
idea of trans-
ferring colo-
ny.

Lord Baltimore, then in London, (July 24,) directs Captain James Neal, in Holland, to inquire of West India Company if they admit his right on Delaware; if not, to protest against them, to demand the surrender of the lands, &c. on the De- laware Bay, respecting which the commissioners of the Dutch had previously been sent to Maryland, but whose conference there came to an unsatisfactory conclusion. Captain Neal, attorney of Cecilius Calvert, baron of Baltimore, on the 1st of September, had an interview in Amsterdam, with the representatives of the College of XIX. He was assisted by Mr. Cross, notary, and much to their surprise, asks the direc- tors of the company "to command some of the inhabitants

Capt. Neal,
an agent of
Lord Balti-
more in Hol-
land.

September.

¹ Albany Records, vol. xxiv. pp. 364, 365.

² Ibid. vol. xvii. p. 84.

1660.

Capt. Neal,
as attorney
of Lord Bal-
timore,
makes a de-
mand of
West India
Company.

of South River, and especially the colonists of the city of Amsterdam, to submit to the 'Baron' of Baltimore or his agents, under a grant from Charles I., and offers to agree upon certain conditions, and in case of refusal, indemnity for all costs, damages, and interest already undergone, or to be yet incurred." The directors reply, asserting "their right by possession, under the grant of the States-General for many years, without disturbance from Lord Baltimore or any other person." They are "resolved to remain in possession, and defend their rights. If Lord Baltimore perseveres and resorts to violent measures, they will use all the means God and nature have given, to protect the inhabitants," at the same time declaring themselves innocent of any blood which may be shed. The notary certifies his having been present when the demand was made in due form for the colony of New Amstel.¹

Sept. 30.

Ship sails for
Holland,
with Van
Sweringen
and other
passengers.
Cargo.

The ship Green Eagle sailed. D'Hinoyossa permitted Gerrit Van Sweringen and wife to go to fatherland; also Joost Arenson, Peter Crabbe, the blacksmith, and another colonist; the sheriff, Van Sweringen, 21 beaver hides, 4 hispan, and 6 prepared deer skins, while also were notified by him 100 deer skins more, for which were paid 3 pieces of eight, to satisfy the recognition.

Want of pro-
visions at
Altona.

Beekman further says, he has distributed his last pork, and has only 50 pounds meal left. Two men draw swords on each other.²

October 6.

Transfer of
colony to
city. Bad
state of
things.

The company in Amsterdam say they have negotiated with the magistrates of the city of Amsterdam to receive again the colony under their protection. Since the death of Alricks, every thing has been in great confusion; affairs go more backward than forward, as we are informed by Commissary Beekman, while D'Hinoyossa, substituted by Alricks's will as his successor, did read a letter to the few remaining colonists, assuring them of promised help or transfer of the colony; as we doubt this, we are backward to redress some evils; would prefer seeing the city continue to charge herself with its protection, as well in regard to the vast expenses which *de novo* would be required, and continued to maintain a strong garrison, as with respect to the bad rumours and name which have not only been attached to South River, but even the whole country, by the unhappy management of its affairs. Speak

¹ Albany Records, vol. viii. pp. 294, 296, 301.

² Ibid. vol. xvii. p. 89.

of passes being granted imprudently, as lately by a new ship, Green Eagle, which arrived from New Spain; on this ship embarked Van Sweringen and Jacob Crabbe, both largely in debt. The first has a suit, and leaves his bail in the lurch.¹ 1660.

Matthias Capito mentions absence of William Beekman to Governor Stuyvesant. Says D'Hinoyossa holds Alricks's books and property. No notary here. D'Hinoyossa says "he will not be commanded by your honour, as he does not acknowledge any person his superior, except his principals in fatherland."² October 8.

The States-General were requested by the XIX to represent, through their ambassadors in England, the situation of affairs with Maryland, and to complain of Lord Baltimore's encroachments and pretensions, and that he would desist from them until a boundary line could be run between that province and the Dutch. All necessary papers were furnished to the ambassadors; were instructed to direct the attention of the king to the subject.³ November 5.

D'Hinoyossa is mentioned as conducting himself in a haughty and imperious manner, defaming and slandering the deceased director, and disregarding mandamuses, and injuring the property of the deceased.⁴ December 9.

Report at Whorekill of a bark being stranded, between Cape Henlopen and Virginia; three Dutchmen left her, and went into the country. A three-masted vessel said to be stranded near Barnegat, only one person saved. Have sold horses for fat oxen, hogs, and corn for bread, so that our magazine is now well supplied with beef and pork for more than a year, for the seven Swedish horses, &c.⁵ December 16.

D'Hinoyossa received yesterday advice by way of Maryland, in a letter of Mr. Bouk and John Prato, dated August 27th, that the magistrates of Amsterdam have resolved to continue the support of this colony, appointing him as director, John Prato and Van Sweringen, assistants. D'Hinoyossa says the burgomasters approve of his seizing Alricks's property; "in short, the joy is here great, so that the seal of the letter was scarce broken than he commanded the cannon to be three times fired."⁶ December 24.

"It seems as if troubles have arisen in Maryland, as the

¹ Albany Records, vol. xviii. p. 124.

² Ibid. vol. xvii. p. 92.

³ Holl. Doc. vol. ix. p. 144, &c. O'Call. vol. ii. p. 461.

⁴ Albany Records, vol. xviii. p. 141.

⁵ Ibid. p. 94.

1660. brother of Lord Baltimore has obtained the commission as governor and commander there."

Asks for a barrel of salt to save provisions; "it is here excessively tough, asking three to four gl. for a single schepel."¹

High price of salt.

1661.

Beekman, in a letter to Stuyvesant, thus describes D'Hino-
yossa's carriage, upon his late appointment as director of the colony of New Amstel: "He feels himself again pretty high, and is strutting forward in full pride. He is boasting that he will recover all the effects of the deceased Alricks, and sings already another tune. He removed from office the secretary, Van Nas, because he did not flatter his whims in writing the records."

January 14.
Conduct of
D'Hino-
yossa
in his new
situation.

"About a fortnight since, the grave in which was buried Hoppemenick, a savage chief, was violated. The place was opposite the house of Captain Krygier. They stole from it some seawant, three or four pieces of frieze, and what else was laid by him; at this the savages are murmuring, and some mischief may be apprehended for those at New Amstel, as I am informed by A. Hudde and others."

Grave of an
Indian chief
violated.

The following is added in a postscript: "Yesterday the Lord our God did give an increase to our family, by a boy. I could wish that there was an opportunity of initiating him by Christian baptism."²

A son born
to Beekman.

On Beekman's arrival from Altona, on the 18th, he "observed much fear about those at New Amstel, that the savages, who did not appear for some days, and were skulking here and there, would surprise the Dutch, and especially as the savages on the river murdered, about the 4th instant, four persons coming from New Amstel; they were three Englishmen and a Dutchman, the brother of Doctor Herck, who had been here only two or three days on a visit. Two or three days after the murder was committed, several savages, though we could not ascertain if they were the murderers, arrived at New Amstel, and had with them some clothes of the Christians, which they offered for sale. Two of them came to the house of Foppo Jorison, where then were William Hollingworth, an Englishman, and Gerrit Ruster, an inhabitant of

January 27.
Murder of
three Eng-
lishmen and
one Dutch-
man, by the
savages, who
are impris-
oned and
released,
which gives
dissatisfac-
tion to gov-
ernor of
Maryland. A
war with
English and
Indians an-
ticipated.

¹ Albany Records, vol. xvii. p. 96, Letter from W. Beekman to P. Stuyvesant.

² Ibid. p. 100.

New Amstel, who, together with Foppo, took hold of these two savages, and directly informed D'Hinoyossa of it, when they were, on the 10th, imprisoned by him, on which the savages uttered violent threatenings against those of New Amstel. The savages having been examined, were set at liberty the next day. Yesterday, the honourable D'Hinoyossa received on this subject, by express, some further instructions of the governor of Maryland, who is greatly dissatisfied with our conduct in setting the savages at liberty, which D'Hinoyossa excused by their not being guilty." "It is my humble opinion, that if the English enter into a war with the savages, it cannot be but to injure the public welfare, and that the savages will again claim, and take possession of all the lands, or that *these will be eventually settled with English and Swedes*. The English, to prosecute their enemy, might violate our jurisdiction, may penetrate our limits without notice; if we object or resist, they may suspect our sincerity, and search for a pretext to quarrel with us. I come to this conclusion from appearances, in which I am confirmed, as Captain Krygier said that Augustus Heermans wrote in private to D'Hinoyossa, that the English foster the opinion that the inhabitants of New Amstel or Whorekill secretly instigate the river savages to such misdeeds, which is certainly an odious and wrong imagination."¹

Prediction as to country hereafter being settled by English and Swedes.

English believe the Dutch hostile.

Beekman probably little thought, when writing, "that these lands will be eventually settled with English and Swedes," that he was penning a prediction so shortly to be fulfilled, as subsequent events proved it to be.

Immediately following the foregoing is a letter from Augustus Heermans to W. Beekman, without date or name of place, but alluding, as it does, to the murder above mentioned, was probably written about the same time: "I visited my colony(?) on the river, and discovered at the same time the most proper place between this situation and South River. I am now engaged in encouraging settlers to unite together in a village, of which I understood that a beginning will be made before next winter. From there we may arrive by land in one day at Sand Hoeck, and may perhaps effect a cart road about the same time. The Maquas kill and the Bohemia River² are there only one mile distant from each other, by

A. Heermans speaks of a village he is about building, not far from New Amstel.

¹ Albany Records, vol. xvii. p. 109.

² A river of this name, in Maryland, appears by the maps to take its rise in Delaware, not far from the source of a branch of Apoquinimy.

1661.

which it is an easy correspondence by water, which must be greatly encouraging to the inhabitants of New Netherlands. I hope to start for the Mannhattans within five or six weeks. Had not the misfortune happened that the English had been murdered on the South River, I should have come towards you by land."¹

January 27.

The English require satisfaction from the murderers, and are dissatisfied with their release.

Then succeeds the following, likewise without date, but directed to W. Beekman, at Altona: "Sir, the fear with which the Finns were struck last winter, was without foundation; they dreaded an assault without a cause. It is much disliked, and had given offence, that the apprehended Indian murderers, who murdered the English, and carried their clothes to Sand Hoeck, have been set at liberty. The English require satisfaction from the murderers, or war, whichever they choose; on this point they are now quarrelling with the Susquehannocks. It was desirable that D'Hinoyossa would write the governor in a manner to remove the broil, and conciliate his good will, as the English are inclined to live with us in harmony and friendship, and to cultivate and promote commerce between the two nations, which they would not interrupt, unless compelled by force or necessity. I hope for a favourable answer. It is said here that the Susquehannock chiefs have been summoned to Sand Hoeck, and there is some suspicion that it relates to the aforesaid business."²

February 5.

Arrivals from Maryland. Question as to protection.

"Yesterday arrived at New Amstel Captain Wheeler and Ulrich Antony, both from Maryland, and came to see us to-day. They appeared before us; after a few discussions, they proposed the question, 'if any resident in Maryland came hither, whether we would give him up when demanded, or if it was presumptive that we would defend them?' We pretended that we are not obliged to answer, as not acquainted enough or deeply versed in law, even if the questions might be brought before us, being a question too critical to decide; more so, as the city of Maryland appeared so deeply interested in it, as being in duty bound to defend the privileges of their citizens. Justly as we were desirous to avoid making any encroachments upon the rights of our neighbours, it seems to me, in this question, with regard to us, every regard due to an independent state is lost. He excused himself, both at his arrival and departure from our house, that he well knew how to show his due respect, but said that in this case

¹ Albany Records, vol. xvii. p. 111.

² Ibid. p. 112.

his conscience would not permit it, to which I answered, that our conscience could not tolerate such a sect. If he remains quiet, and no others of the same breed shall arrive hither, I shall tolerate him, till I shall have received your honour's further orders; but by an unexpected increase, I shall command them to depart, in conformity to the orders of your honour. Wheeler said that the advocates of the governor cause great confusion, and a war may be the final result. There is actually a violent animosity against the Papists, while they will not bear a Papist governor. He said further, that many have been lately beheaded in England, and imprisoned; that more than one thousand Reformed ministers are imprisoned; that they therefore will not protect a Papist, or recommend him to the community; these are awful prognostics indeed. God vouchsafe us peace in our days."

1661.

Fears of the
Papists.
Animosity
towards
them.

"*Oloff Stille*, one of our commissaries, arrived with a few Finns from Maryland. They went thither, as I am informed, to take up land, and to emigrate in the spring. The sheriff, Van Dyck, had not given me any notice of their departure; they did not find their friends on the Sassafras River, in that case, as they had imagined, so that many have given up this project, as *Stille* said that probably many of the Finns, if not all, who are there now residing, will return hither. In such case, in my opinion, some regulations might be adopted; they might unite in a village near or at *Perslajong*, (*Passyung*?) and not be permitted to settle again in separate spots, as the custom is of that sort of men, and further, to make all of age take the oath of allegiance."¹

February 5.

Finns return
from Mary-
land. Others
expected.
Plan pro-
posed to set-
tle them at
Passyung, in
a village.

The progress of the settlement was less rapid than expected, owing, as supposed, to the want of prudence in the late vice-director, and many consequently leaving the place. Another reason was the dispute between the director-general and local authorities on jurisdiction, the colonists being obliged to appeal to the director-general in suits exceeding 100 guilders, which affected the majority; another was being compelled to discharge and be inspected at New Amsterdam, for goods destined to New Amstel, and the company's servants on South River demanding anchorage-money in front of city's colony. It was proposed to appoint another vice-director, and to forbid the company's director from encroaching on the city's rights, &c. As a remedy, the jurisdiction in civil cases

March 9.

Proposed
changes.

¹ Albany Records, vol. xvii. pp. 104, 105.

1661. was extended to 600 guilders, and appeal abolished, and by allowing the city colonies to send its own vessels directly to their colony. The subject of anchorage was to be remedied when the population increased, by extending the territory as far on the east side of the river as on the west; the soldiers to be discharged, and the defence left to the inhabitants; free grants of land to be made to the soldiers then in the country, they promising aid in case of need. Twenty-five or thirty farm servants to be sent from Westphalia to South River, at public expense, the produce of their labour to belong to the colony. The public service to consist of one director, a sheriff, commissary, surgeon, cooper, smith, comforter of the sick, to act also as schoolmaster. \$10,000 required to effect this plan, to be expended in merchandise and agriculture. The plan was approved, and public notice to be given of the changes. The impolicy of having two distinct jurisdictions became daily more evident, as it led to constant collisions between the governors for the supremacy.¹

March 21.
Beekman re-
quired to act
as sheriff.

G. Van Dyck asks payment of his salary due as schout or sheriff. The director-general replies there was but little to do in the office, and its duties could be performed by the Commissary Beekman, who is accordingly to do the duties of the sheriffalty.

Peter Rambo resigns as a commissary.²

May 31.
Indians anx-
ious to be re-
conciled with
the English.
Offer pre-
sents to go-
vernor of
Maryland,
who rejects
them.
Wishes them
to unite
against
other sa-
vages.

"Nothing further from the English in Maryland. The savages here are highly alarmed, lest the English shall come here. They had a meeting at Passajon a few days past; they are collecting a large portion of seawant, to make presents of it to the Minquas and other chiefs, to reconcile them again with the English for this murder. The Minquas presented already furs to the governor of Maryland, ten or eleven days past, though he declined to accept any of these, but requested them rather to unite with him and destroy those savages; which they rejected, as the Minquas chief, who was with your honour last year at Esopus, told Captain Krygier, 28th of this month. The Minquas and Senecas are at war."

Report that
J. Rysingh
was impris-
oned in
Sweden.

"Jacob Swens informed me that Hendrick Huygen advised him that John Rysingh last year, in September, was arrested in Sweden, and that after long entreaties, it was at length consented to grant him an armed vessel for the recovery of South River."

¹ O'Call. vol. ii. p. 464.

² Albany Records, vol. xix. p. 78.

"D'Hinoyossa communicated his commission to the people eight days ago, having called them together with the ringing of the bell, and assured the congregation, with full confidence, that ere long a vessel should arrive from Patria with several farmers, while he told me to the contrary, when he received that letter, that his patrons mentioned not a word of any ship or colonists, and rather complained that he received no answer whatever on many points, as he had expected, and that the letter was written in September.

1661.

D'Hinoyossa calls a meeting at New Amstel. Shows commission. His insincerity.

"Captain Krygier informed me that he understood from D'Hinoyossa that Van Vleck had warned him to be on his guard, as your honour had commanded me to arrest him."

D'Hinoyossa expects arrest by Beekman.

G. Van Dyck appears to have been removed, and inquires the reason.¹

Van Dyck removed.

The subject of the claim between the Dutch and Maryland "was again brought before the council of Maryland, when it was resolved, that as it was a matter of doubt whether New Amstel lay below the 40th degree of north latitude, and as the West India Company appeared resolved to maintain their possessions by force, and there was no prospect of any aid from the other colonies, in any attempts which they might make to reduce them, all further efforts for their subjugation should be delayed until the will of the proprietary could be ascertained, and that in the mean time some efforts should be made to determine whether the settlement was located within the limits of the grant. An agent was now despatched to Holland to enforce upon the West India Company the claims of the proprietary to the territory in question, and to repeat the demand that it should be abandoned. Compliance with this demand was again refused, but orders were given by that company to its settlers, to withdraw from the territory about Cape Henlopen, which they had purchased from the Indians; this was accordingly done, but New Amstel, or N. C., and the adjacent country, were still retained in possession."²

May. Doubts in Maryland as to New Amstel being in their bounds.

Beekman writes that the savages report that the Senecas destroyed several plantations of the Swedes and Finns who settled among the English. He does not much confide in it. "The chiefs of the savages on this river do not trust the

June 10. Lex talionis asserted by the savages towards the English.

¹ Albany Records, vol. xvii. p. 114.

² McMahon, p. 25, who quotes Council Proceedings, Lib. H. H. 113. Chalmers, p. 631.

1661. English, and decline to go thither, as they told Hudde and Swens, saying 'the English killed some of us, and we again killed some of them, the one pays for the other.' They informed Augustine on the 4th of their intentions. D'Hinoyossa detained the galliot, at request of Heermans, seven or eight days."¹

July 10. "On the east side of this river are residing four English among the Manitos savages; they arrived in a small boat in the neighbourhood of Cape May, about three months past; Four Englishmen on east side they apparently went homeways from Virginia, as they now with savages. are now inclined to remain there, if the report of the savages is correct.

War between Maquas and Senecas. "The Maquas and Senecas are at war. The English in Maryland assisted the Maquas with fifty men, in their fort."²

July 21. From a letter of Peter Stuyvesant to the company in Holland, it appears that he was "apprehensive about Lord Baltimore's intentions respecting the southern part of South River, which he claims as included in his patent, and confirmed by the present king. Lord Baltimore protested to the company; speaks of Lord Sterling's pretended claim to Long Island."

Censure of Stuyvesant by company noticed. In allusion to a censure passed by the company on the director-general and council of New Amsterdam, he says, "If all our letters, since the death of Alricks, written to his successor, D'Hinoyossa, and one or two to his principals, had been transmitted, it would to all appearance become evident, that we instituted no process whatever against the city's ministers, much less that we sowed seeds of discord amongst them; to the contrary, it would evidently appear that we most sincerely recommended them peace and harmony, with the promotion of the common welfare. What regards the cause or process as mentioned by your honour, relative to estate of deceased Alricks; our opposition against a judgment on the murderers of three savages, in a case of appeal, and our unwillingness that judgment against Jan Garretson, and Van Marcken, it was our duty to inform you of both, and all the circumstances of these affairs, and our own honour and character compel us imperiously to express our minds in both cases, with all possible brevity." Then alludes to transactions connected with estate of Alricks, the petition of Van Gezel, the declared heir and executor. "Never was there an

¹ Albany Records, vol. xvii. p. 117.

² Ibid. p. 118.

infracton upon arrest made by provisional director, D'Hinoyossa, in behalf of his principals, on the estate, or money coming from it or contracted, for which aforesaid remains responsible." Then notices a case of murder committed on a man, woman, and boy, under circumstances of great cruelty, not in passion or drunkenness, or revenge, "but with a deliberate mind, only from detestable avarice." Speaks of Alricks as a man of very discreet character.

1661.

Ensign Dirck Smith deceased at end of last year; his widow now goes to Holland.¹

He also alludes to advices received from Maryland, and says, "But more probable and material is the advice from Maryland, that Lord Baltimore's patent, which contains the south part of South River, is confirmed by the king, and published in print; that Lord Baltimore's brother, who is a rigid Papist, being made governor there, has received Lord Baltimore's claim, and protest to your honours in council, (where-with he seems but little satisfied,) and has now more hopes of success. We have advices from England that there is an invasion intended against these parts, and the country solicited of the king, the duke, and the parliament, is to be annexed to their dominions, and for that purpose they desire three or four frigates, persuading the king that the company possessed and held this country under an unlawful title, having only obtained of King James leave for a watering-place on Staten Island, in 1623."²

Report of patent to Lord Baltimore confirmed.

Beekman alludes to a list of houses and lots in the colony, which does not appear on the records; also to a probable difficulty between the director-general and England, which he says "would be peculiarly injurious to us, who, as it were, are lying with open doors before the English."

August 7.
Probable difficulty with the English.

He "wants two ankers of brandy or distilled liquors, to plant some more corn for the garrison, as it is easier to obtain workmen for liquors than for any other wares."

Wants liquor for workmen.

"Hears that a vessel with farmers from Holland is coming over, and wishes they could be induced to marry with Swedes and Finns."

Expects farmers from Holland.

Great differences exist between D'Hinoyossa and Van Gezel, because he asked for his accounts as auctioneer. Van Gezel is arrested, an inventory of his effects taken in presence of his wife; soldiers guard the property; the wife carries some

September 5.
Difficulty between D'Hinoyossa and Van Gezel.

¹ Albany Records, vol. xviii. p. 143, &c. ² Smith's N. Y., vol. i. p. 12.

1661. of it away; yachts and houses searched; Van Gezel's wife decamps, leaving behind her child, four months old, that she might not be discovered by its crying.¹

September 6. Beekman, on arriving at New Amstel to converse with D'Hinoyossa, is met at the door by Van Sweringen, who was ordered to prevent his entrance, though D'Hinoyossa was notified by Alricks of his arrival. A small boy brought word from his master that he could not speak with Beekman with a good conscience; advised him to go home.

The subject of vessels striking their colours to the fort. partly "because some time since he had molested the *Bar-kiers*, that they lower their colours before the fort before they cast anchor, and they would make use of the opportunity to sail higher up; then he threatened to examine the lading, as it might be addressed to him, expecting every hour the arrival of a ship consigned to him from fatherland, and talk of other affairs, of which a long detail is given.

September 6. Beekman despatched D'Hinoyossa² and Peter Alricks with two chiefs of savages residing on the river, to the governor of Maryland, to negotiate peace. He wants supplies for the garrison, salt, seawant to purchase bread-corn, as with difficulty they could obtain a schepel (three-fourths of a bushel) of corn for a schepel of salt.³

Sept. 21. "Yesterday I was informed by Mr. Laers, the Swedish priest, that his wife eloped with one Jacob Jongh, and departed that night in a canoe, on which I despatched an express to Maryland, and another to the magistrates residing on Sassafras River, and requested them, if the aforesaid persons arrived there, to take them in custody, and give us a direct notice of it. This day I was informed by one of our commissaries, that Jacob Jongh had, during two or three days, a savage of *Meggekersing* with him, upon which we presume he tries to follow the track of Captain Vuller, and so may pass to Long Island.

Meeting for negotiation with savages. "Alricks met governor and council of Maryland at Colonel Utie's. Alricks, the secretary, Henry Coursay, Mr. Beekman, and Mr. Gerrit Smith arrived here yesterday by way of New Amstel, to open a negotiation relative to the affairs of the savages."⁴

¹ Albany Records, vol. xvii. p. 124.

³ Ibid. p. 135.

² Ibid.

⁴ Ibid. p. 137

The trunk of Jongh, with various of Mr. Laers's property in it, is found at Upland. 1661.

"It is said that Jacob Jongh went to New England, as he did not consider himself safe in Maryland.

"We understood from the letters which were received in answer from honourable Philip Calvert, of 22d and 23d, in regard to English commissioners who visited Altona, and whom we considered it our duty to treat with all courtesy, to soothe his jealousy, because the governor of the province had not been treated with the same regards, or received from your honour the same respect, as the governors of other provinces."

October 26.
Letters from
Philip Cal-
vert and
English com-
missioners.

His honour D'Hinoyossa summoned, as soon as the aforesaid commissioners arrived, by messenger, the chiefs of the savages, but one only appeared, who resides at the east end of the river; who accompanied the commissioners, with D'Hinoyossa, to Appoquinimy, whereabouts another creek empties itself in the English River, and where his honour the governor, Calvert, met them, when he concluded a peace with the aforesaid sachem, and had a joyful intercourse with them and D'Hinoyossa. The English made an offer to deliver us annually two to three thousand hogsheads of tobacco by this creek, or at Appoquinimy, if we would supply them with negroes and other commodities.

Conference
between
commission-
ers and chief.
Peace con-
cluded.
Negroes
wanted.

Many of the Minquas died lately by the *small-pox*. They are nearly besieged by the Senecas, which caused a decline in our trade with them. I am informed that the Senecas killed another savage not far from that place, but a little above it, where the Swedish concentration is made. The Swedes are full of apprehension for their cattle.

Small-pox
among Min-
quas, who
are besieged
by Senecas,
who kill a
savage.

"The minister, Laers, solicited on the 15th instant, for our consent to marry again, as he intended to have the first proclamation on the 16th instant. His bride is 17 or 18 years old. I delayed to give a decisive answer till I should have obtained your honour's approbation.

Laers wishes
to marry
again.

"Mr. Williams and many other families have proposed to move to Maryland before winter."¹

The reverend Laers again solicits the approbation of his honour for his proposed marriage, "as the situation of his family imperiously requires it."²

November 8.
Laers again
wishes to
marry.

The directors send Stuyvesant "resolutions upon a proposal of this city, from which his honour will see in what we

November 9.

¹ Albany Records, vol. xvii. p. 142.

² Ibid. p. 144.

1661.

Colony of
South River
to be con-
tinued under
the magis-
trates.

have gratified the magistrates of this city with regard to the colony on South River, with a view that your honour may conduct himself in conformity to it; whereas the said magistrates do continue for the present to charge themselves with the directors of said colony. Several colonists and farmers have again embarked thither, in the hope that it will be continued with better success. A magistrate's vessel sails direct for South River.

Cecilius "procured a grant and confirmation of the patent passed in favour of his father in 1632."¹

1662.

February 1.

Further pro-
ceedings
against Rev.
Mr. Laers.

Beekman writes, "I brought, on 23d December, the case of Jacob Jongh before the council, but it remains to this day undecided, as it was concluded that the commissaries should institute a new inquiry, and since that day no other meeting was convened. I have some apprehension that it will be decided against the Reverend Mr. Laers, as it is partly ascertained that he broke open the door with an axe, and examined the trunk and goods which were left by the young man, and made an inventory of them, in the absence of the landlord."

Asks and ob-
tains a di-
vorce.

"The aforesaid Finnish priest solicited very circumstantially, that the council would grant him a divorce for this breach of marriage contract by his wife, which he obtained on the 15th of December, under your approbation."

Marries him-
self.

"Yesterday I was informed that he married himself again on Sunday, a transaction, in my opinion, under correction, entirely unlawful, and expect your honour's orders how to conduct myself in it."

D'Hinoyossa
asks dismis-
sion. Com-
plaints
against him.

"I understood that D'Hinoyossa has demanded his dismission; his soldiers are continually complaining of their bad fare, and their dress.

Son of Lord
Baltimore
arrives in
Maryland.

"I was informed by Paulus Scherrs, who lately arrived from Maryland, that the son of Lord Baltimore arrived there, and that nothing further is mentioned there of any intentions upon this district."²

February 20.
Whorekill to
be aban-
doned, &c.

"I am informed that the Whorekill is to be abandoned, and the city militia there to be discharged. The city's surveyor, William Rosenlery, is discharged.

"The Senecas and Minquas are still at war. The savages on the river, too, are in, as they did not go this winter on

¹ Albany Records, vol. xvii. p. 377.

² Ibid. p. 146.

hunting as usual, which causes nearly a stagnation in trade. 1662.
Rev. Ægedius has just arrived from Holland."¹

"On Sunday, the 12th, A. M., was communicated by the clerk, upon order of director-general and council in New Amstel, that a fast and prayer day should be kept quarterly, with which a beginning was to be made on the 15th instant, but no mention whatever was made of your honour's ordinance. The same command was, at the same time, after the first sermon, published in the fort, (here at Altona,) by tolling of the bell."²

"It is rumoured here that the governor of Maryland should come to New Amstel on 15th April, to establish there the trade in tobacco, but it cannot be ascertained with certainty. It would, in my opinion, be necessary, if any considerable quantity of tobacco was to be shipped here, that the company construct a magazine and balance at New Amstel.

"Nothing yet done in affair of Rev. Mr. Laers.

"I solicit most seriously that it may please your honour to accommodate me with a company of *negroes*, as I am very much in want of them in many respects."³

Beekman has no intercourse with D'Hinoyossa.

"The galliot was yesterday, by an extraordinary high tide, driven out of the kill, but happily saved by the sailors of the ship, and brought again to her former place. On the 18th, however, she was again cast to the other side of the river, so that the sailors were again obliged to return thither."⁴

The following are the proceedings of the court at their meeting held by vice-director and commissaries at Altona, (Cock, Harnsen, and Oloff Stille,) against Rev. Laers:

"Honourable vice-director as sheriff, plaintiff, *versus* Rev. Laers Carels, defendant—The plaintiff concludes, as it is of notoriety, and acknowledged by defendant, that on the 20th September, 1661, he, Minister Laers committed the violence, in breaking the room open, and opening the trunk of the fugitive Jacob Jongh, when said Jongh the night before absconded, and made an inventory of his property, which he left behind, as is evident by his own handwriting, to which the defendant was not qualified, which ought to have been performed by the vice-director and the court, and that he usurped and suspended their authority, and vilified it, where-

¹ Albany Records, vol. xvii. p. 150.

² Ibid. pp. 152, 153.

³ Ibid. p. 157.

⁴ Ibid.

1662. fore he remains answerable and holden to make compensation to the company of what was yet due the company by said absconded Jongh, of which the residue amounts to 200 gl. in corn, and 40 gl. in beaver, which is to be delivered, and besides this, an amende [fine] of 40 gl. for having vilified authority. Defendant said, he came at that time to the house of Andreas Hendriessen, Finn, and asked him if his wife was with J. Jongh in his room, when the wife of Andreas, Finn, answered, that she did not know it, that her master might look at it, on which he took an axe and broke the door, and made an inventory of the goods. The commissioners having considered the case, command that Rev. Laers shall satisfy the demanded 200 gl. and pay for his insolence.

“On the day aforesaid, is communicated to aforesaid Rev. Laers Carels, by Vice-Director Beekman, that his marriage is declared null and void, as illegal, as he married himself, which is directly contrary to the orders sanctioned about marriage connections; that he before ought to have demanded and obtained from us the dissolution of his former marriage, by letters of divorce, agreeably to the laws of our fatherland, which ought to have been granted by the court of magistrates, and that by a further delay from his side, he shall be prosecuted.

A. HUDDE, Secretary.”

The reverend gentleman makes the following appeal:

Appeal of
Rev. Mr.
Laers.

“Sir, my humble submissive service to you, and which I always hope to remain. It will not be unknown to you, sir, in what manner, since the elopement of my wife, I have fallen from one misfortune to another, because all my deeds, performed in consequence of this elopement, have been misconstrued, so that I have been condemned in heavy amendes, which, in my poor situation, I cannot by any means bring together, as besides that, I paid already nearly 200 gl. I now am again condemned in a fine of 280 gl. The true state of the case was this: while I was searching for my wife, I imagined she was concealing herself in that place, on which I broke it open, but found nothing but a few pair of stockings, which the fugitive raptor of my wife left behind, of which I made an inventory; and whereas it has been taken amiss, as if I, by this deed, intended to vilify the court, and therefore am condemned to pay a fine of 280 gl., and pay what the fugitive was owing, whereas I, in my innocence, and in that situation, having no other intention whatever but to

search for my wife, so it is my submissive petition that it may please your honour to make a favourable and merciful intercession on my behalf, by this meeting, and pardon graciously what is committed through ignorance, and to save my reputation and condition as a minister, not to inflict any further punishment. What regards that I married myself, I cannot discover any thing illegal in it. I acted just in the same manner as I had done before, with respect to others, exactly so as others do, who are not prosecuted for it, and I can conscientiously assure you that it was performed without any evil intention. Had I known that my marrying myself in this manner should have been so unfavourably interpreted, I should have submitted to the usage of the Reformed Church, but I did not know it; wherefore I pray once more the honourable general that he will vouchsafe me his aid, and take into consideration my forlorn situation, so that I, without becoming a burden to others, may supply my daily wants, &c.

LAURENTIUS CARELS, Minister."¹

"D'Hinoyossa interdicted, on the 29th March, by a placard, that no person may trade between Bompjes Hoeck and Cape Henlopen, with any individual, on forfeiture of the goods which might be discovered by him, granting at the same time to Peter Alricks the exclusive privilege of trading in that district, which causes discontent amongst the Swedes and other individuals, saying, 'what right do they above us of New Amstel have to trade in our district at the east side of the river, as we on their side.' I went, on the 30th, to New Amstel, to take a full view of the placard, and examined it thoroughly, but could not obtain it, as only one had been nailed at the church door, which it was said was taken down during the night by Mr. Kip, who was to be prosecuted for it by the sheriff, who stood in the door of his house, near the church, so that I cannot say with certainty if this interdiction regards only the inhabitants of New Amstel, or that it is meant as a general interdiction."

"On the same day, another interdiction was made by D'Hinoyossa, relative to the proposals made by some of the savages at Tinniconck, by which any contravener convicted shall be fined 300 gl., authorizing the savages to rob those who bring them strong liquors."

"The Swedish priest, the Rev. Laers was, on the 12th of

¹ Albany Records, vol. xvii. p. 164.

1662.

May 10.

Interdiction of trade between Bompjes Hoeck and Henlopen.

Exclusive privilege to P. Alricks. Swedes dissatisfied.

Interdiction against strong liquors. Indians authorized to rob.

1662. April, condemned by the commissaries to pay 200 gl., which had been advanced to Jacob Jongh in behalf of the company, to provide us with corn; to pay further the 40 beavers due to Mr. Decker and myself by the aforesaid Jongh, besides an amende of 40 gl. for having usurped the authority of the court. I insinuated to him in the said meeting that he ought to address himself to your honour, and request letters of divorce, and that meanwhile his new marriage was illegal.

Rev. Mr. Laers's case. Is advised to ask a divorce. His second marriage illegal.

"I permitted last year, under your approbation, the inhabitants of Turtle-kill Falls, situated about one and a half miles from our fortress, (Altona,) to build there a *corn-mill*, which is now to be finished, provided they can now obtain the deed. This was granted on condition that the garrison here should not pay for their grist, which ought to be inserted in the deed. We have here great trouble often with grinding, and are compelled, when we cannot be served, to go to the old *Swedish mill*, at the distance of about six miles from here, or bring the corn to New Amstel, to the Rosmolen, at great expense to the company."¹

Corn-mill authorized on Turtle Creek Falls. Must grind for garrison gratis. Swedish mill. Ross-mill at New Amstel.

John Staelcop, &c., petition for land. Some time since, they built a water grist-mill on the falls of Turtle Creek, (Schildnaps-kil,) for the benefit of the community and others, and because it is very necessary for some person to reside there to tend mill, who of course would want some land with it to cultivate, by which the mill might obtain greater safety. They oblige themselves not to sell, mortgage, or alienate said mill under any pretext, except with consent of his honour.²

Water grist-mill on Turtle Creek. Owners ask for land.

The dispute about jurisdiction between D'Hinoyossa and Beekman became pretty violent, the former requiring vessels to lower their colours when passing New Amstel, and threatening to examine their cargo, the latter claiming the jurisdiction over the whole river, denying his right to do this. D'Hinoyossa was summoned before Beekman, at Altona, which he disregarded. Beekman further charges him with making, in a tavern, attacks on the director-general, &c., at New Amsterdam, charging them with bringing the Swedes to South River, by their ill-treatment of Minuit, threatening, if he could, to drown or poison the Manhattans.³

May 15. Further difficulties between D'Hinoyossa and Beekman.

Hudde, in a letter to W. Beekman, speaks of applying to Van Ruyven and Krygier, when appointed commissaries and

¹ Albany Records, vol. xvii. pp. 158, 159.

² Ibid. p. 161.

³ Ibid. O'Call. vol. ii. p. 465.

captain, to aid him in procuring payment for the house which was sold to honourable J. Alricks, schepen and magistrate of the city, to be for a time appropriated for the benefit of the community, "as it yet has continued till this day." They treated it with kindness, and J. Alricks promised to pay, as the purchase was approved by his lords and masters, but in vain to himself or his successor, D'Hinoyossa, &c., who received pay. Everybody complains of his unjust and fraudulent proceedings. D'Hinoyossa sold a considerable part of the city's property to the English in Maryland, such as a pair of millstones, &c.

1662.

Beekman finds himself, by his oath of office and honour, compelled to charge D'Hinoyossa with taking away the palisades of the fort, and burning them in his brewery; also with selling to the savages the new city guns which arrived in the "Parmeland Church;" also to the English in Maryland, the city millstones brought in the same ship, for 1000 pounds of tobacco, and a small brewer's kettle for 700 or 800 pounds; also with railing against the Manhattans, and threatening vengeance. Beekman sustains his charges by affidavits.¹

June 8.

Serious charges by Beekman against D'Hinoyossa.

About this time, in consequence of publications in Holland, many were induced to think of emigrating to South River; among others, a number of Mennonists, to the Whorekill. The association was to consist of married males and single men who had attained 24 years of age, and were not bound to service nor indebted to the association; equality was the basis of the association; no superiority or office to be sought for; each pledging himself to obey the ordinances of the association, "in the maintenance of peace and concord." All clergymen, without distinction, were to be rigidly excluded from the society. As it was to be composed of persons of divers opinions, this exclusion was unanimously agreed to, for in choosing a minister of one sect, it would, it was argued, be impossible to harmonize so many discordant humours; to appoint one for each would be not only impossible, but "an inevitable pest to all peace and union." It was moreover considered "difficult to comprehend the peculiar benefit such a society could derive in any way from a preacher," &c. "The correspondence on the subject of creating this singular colony, finally eventuated in a grant of land at Whorekill, free

Mennonists and others propose to emigrate. Peculiar notions.

¹ Albany Records, vol. xvii. p. 168.

1662. from tenths and all other imposts for twenty years. Pieter Cornelis Plockhoy was principal leader of the Mennonists."¹

June 20. D'Hinoyossa writes to W. Beekman to arrest the property of certain soldiers who ran off on the 19th instant, and asks it as a reciprocal measure; (two have been apprehended, and a third badly wounded;) which Beekman agrees to do.

June 21. Van Sweringen says he shot the man unintentionally.

July 15. The director-general and council allude to censures by the Holland company, respecting certain supposed proposals of defence against the savages, and a divisional line by Maryland, which they say were never passed. As to what passed between Maryland and D'Hinoyossa remains a secret. Beekman "gave, it is true, some communications, that in consequence of the murder of two or three English going from New Amstel to Maryland, trouble and some war had arisen between them, which caused certain correspondence, and some embassies sent, *vice versa*, by D'Hinoyossa and governor of Maryland, but all this without any action with us or Beekman, so we are ignorant about it. Daily occurrences prove D'Hinoyossa is either too ignorant, or too great in his own eyes, to consult your ministers on these or other such like affairs."

D'Hinoyossa refuses to keep a prayer-day ordered by director-general and council. Insolent language, &c. They speak of disbanding soldiers, twelve or fourteen in Altona. D'Hinoyossa refused to publish a proclamation of the director-general and council, and also to observe a day of fasting and prayer, but objected that the colony was not specially mentioned; and about the same time issued a proclamation themselves, which they published but did not keep, in the name of director and council of New Amstel, not of New Netherland, "writing to us of New Netherland in unmeasured language, that they expected no more from us similar orders and injunctions, but that in future they would take care of it for themselves, and that for this purpose they had established a quarterly prayer day."²

July 21. William Beekman sends Peter Stuyvesant a statement of Van Sweringen's conduct in arresting, with seven men, discharged persons who were on their way to Meyzeppen or Meggakisson. I met sheriff at Verdietige Hoeck, (Doleful Corner,) and protested against his usurping authority, tra-

¹ O'Call. vol. ii. p. 466, where see a further account of their strange notions. Holl. Doc. vol. xv. p. 128.

² Albany Records, vol. xvii. p. 195.

versing our district with armed men. Van Sweringen threatens private injury. 1662.

Sixteen or eighteen families, chiefly Finns, residing in our district, have been induced by D'Hinoyossa to move into the colony. They will be 18 years free from tax, have their own judges and religion; they mean to retain lands in our district. On Sunday, P. M., five persons were induced to go to New Amstel, where they had business; they staid till next day; at evening, all being at supper, Elias Kouls assaulted Sheriff Van Sweringen near his house, thrusting at him with sword, &c.¹

Families of Finns moving into colony.

Attack on sheriff.

"If your honour might deem it proper to send hither the attorney-general, I solicit with submission, in that case, that he may be accompanied with a minister of the gospel, as with us in Altona, as well as New Amstel, there are several unbaptized children. The Lord's Supper has not been administered here during two and a half years, so that by this act your honour will show us a great kindness."

August 3.

Asks for a minister of the gospel. Several unbaptized children. No Lord's Supper for two and a half years.

He cannot live on good terms with D'Hinoyossa.²

William Clayborne, jun., writes about runaway servants from Maryland; asks to have them taken up.³

The directors in Amsterdam say to Peter Stuyvesant, that "the provisions with which your honour has supplied eight or ten licensed ministers of this city on South River, who have returned home in the vessel 'Parmeland Church,' shall be paid here by the city to the company, so that your honour may place in your books these charges as liquidated. What now regards your apprehended difficulties, that through the privileges which have been bestowed upon the colony of this city, other colonies which have been established there with the consent and foreknowledge of the company, may be tempted to claim similar privileges and immunities, on the special pretexts of their letters-patent, grants, or deeds, we shall only observe, that when similar applications shall be made, then your honour ought to send us this information, in which case we shall resolve upon it, as circumstances may require, and communicate to your honour the result of our deliberations."⁴

September 1.

Expenses in sending home eight or ten ministers to be repaid.

Certain privileges alluded to, and apprehended difficulties from those disposed of.

All the books, papers, and vouchers relating to the affairs of the deceased Jacob Alricks, of South River, to be sent to the magistrates of Amsterdam.⁵

Alricks's papers, &c. to be sent to Holland.

¹ Albany Records.

² Ibid. vol. xvii. p. 199.

³ Ibid. p. 233.

⁴ Ibid. vol. iv. p. 199.

⁵ Ibid. p. 400.

1662.

Sudden alarm at New Amstel. Fears of the Senecas. Man murdered.

September 5. New Amstel is suddenly alarmed by the following circumstances, as related by *Jean Willems*, in a letter of this date to Beekman, at Altona: "At evening, sitting at my door, a runner arrived suddenly from below the row of *Hunters-land*, a savage severely wounded, who, as he could not be understood, signified by signs that the Senecas did it, on which all the citizens were directly armed and collected together, with which we continue every evening. We have heard of many severe threatenings made, as is said by savages, against us, of which we saw yesterday a most bloody effect, at Jans Flons, an aged man riding in the woods, with his wagon and two horses, was shot from his horse on which he rode; it seems presumptive that it must have been done by the Senecas. Something ought to be done; if you would not despatch a savage, or Swede, or Finn, to the director-general."

September 7. Beekman writes to Peter Stuyvesant: "As I arrived at New Amstel, I saw there a great disturbance and commotion among the inhabitants, who fled with their property to the fort. Upon the burning of the hovel which I mentioned in my last, D'Hinoyossa sending me a messenger, and soliciting, in the name of the director and council in the colony, that I would come up, to despatch a savage to Manhattans, of which I excused myself, as I could not leave home at this time, and that he could much better spare a man than I, but at last proposed, as here was a *Swede* of *Printz's*, that we both together should send our letters to *Mr. La Grange*, requesting him to despatch, at joint expense, little Hansen or his brother-in-law Carel," &c., which was done.

Bad state of defence at Altona.

"If the apprehensions are realized, I should be compelled to enlist men for defence of the place; but small provision of powder and balls; it is not difficult to procure victuals. In our quarter or district, neither man nor beast molested, neither is any creature, thus far, at New Amstel, injured.¹

Sept. 8. Beekman has another son.

"Yesterday, my wife was delivered of a son, so that now two of my sons are unbaptized. We are expecting daily the shallop, with the desirable gospel minister. Six or seven soldiers sick."²

Sept. 14. "Alarm has subsided; they cannot yet tell who did it; probably the Senecas."

"I inquired, at the request of Hendrick Huygen, into the situation of a certain lot of land, situated at south-west side

¹ Albany Records, vol. xvii. p. 230.

² Ibid. p. 226.

of Upland-kill, and was informed by the Swedish commissaries and other ancient inhabitants of the said nation, that aforesaid tract is called *Printz's Village, which had already been in possession during sixteen years of the Swedish governor, Johan Printz, and his daughter, who owns it.* I cannot hear that this tract has ever been in possession of one Hans Ammonsens or his heirs, or that any land was cultivated by him in that neighbourhood, but well that it was said so of one Elias Sullengreen, after the arrival of Governor Rysingh, that his wife's father had a donation in writing from Queen Christina, of a certain piece of land, situated between Mary's Corner (Marytjens Hoeck) and Upland-kill. I received this information on this day, in Fort Altona. W. BEEKMAN."¹

1662.

History of
Printz's vil-
lage.

Sept. 20.

"No reason to fear at present. Have not found the murderer of Johan Fons.

D'Hinoyossa
going to Hol-
land.

"D'Hinoyossa declared publicly in the fort that he intended going to fatherland via Virginia, in six or eight weeks, with a view to give an accurate delineation of the colony to his lords and patrons, and to convince them of the necessity of obtaining possession of South River, adding, in case he did not return, each person ought to look out for himself."

"Wants provisions and men, having only five or six healthy persons for defence; the others are lingering with intermitting fevers."²

Sickness at
Altona.

Writes, at request of some Englishmen who arrived a few days ago, to recover runaway servants."³

Sept. 27.

Runaways.

P. Stuyvesant requests Beekman to assist D'Hinoyossa, when requested, with six or eight men, "who should incline to go at the expense and wages of the city." In reply, he says, "I am confident no person will be willing to go on these terms, wherefore I request your honour's special orders, whether I shall, when requested, command such a number thither, and keep the fort garrisoned with the remainder."

October 24.

Soldiers to
be lent to
D'Hinoyossa
from Altona.
Beekman de-
clines.

Peter Stuyvesant complained of high accounts made out by the merchants, &c. "Your honour ought to consider that the place is unfavourably situated, wherefore very few can canoe any thing of consequence, and they cannot well subsist on what they receive for their daily support, so they often must receive advances for their bread. Every article which comes from Manhattan is charged with great expenses and high freight."

Complaint
by Peter
Stuyvesant
against high
charges by
merchants.
Beekman ex-
cuses them.

¹ Albany Records, vol. xvii. p. 238. ² Ibid. p. 237. ³ Ibid. p. 239.

1662.

Matthew Bengsen, under-sheriff and city messenger, died September 9.

The galliot
sold.

An English
servant
hung.
Others
wounded.

D'Hinoyossa sold the galliot to the Englishman before mentioned, for 14 hogsheads of tobacco and 40 head of cattle.

"On the 19th was hung, the head cut off and placed on a stake in the presence of 'French,' one of the English runaway servants, and bought by Peter Alricks, at Whorekill, from the savages. When these were to be conducted to New Amstel by some English, 'French' made an attack upon them when on South River, or near Bompjes Hoeck, wounded two and slightly hurt the other, when they fled out of the boat, but were again overtaken at New Amstel, where he was apprehended by orders of D'Hinoyossa, when, on the 3d, the English masters departed, but D'Hinoyossa refused to deliver French to them, because he committed, as he sustained, a delict in the distance of the colony. I sustained that the case belonged to your honour's jurisdiction, as the deed was committed on the river, and not in the colony. Van Sweringen was sitting as judge in the case. The whole transaction took place without the knowledge of Mr. La Grange."¹

Nov. 24.

New Eng-
land asks
surrender of
Manhattan.
Lord Balti-
more ob-
tained let-
ters-patent
from king.

"D'Hinoyossa returned to New Amstel, but I cannot discover what he performed. I understood, only the other day, that he received information of General Calvert, that those of New England have demanded the surrender of Manhattan." "Mr. Kip was, about three weeks ago, at Colonel Utie's, who asked if your honour was yet angry at him, that he formerly had demanded the surrender of New Amstel; adding that Lord Baltimore had obtained more letters-patent from the present king, in which the colony was included, and that said lord intended to claim the whole extent of them."

Murder of a
boy by In-
dians.

"The savages murdered, on the 17th instant, about an hour before sunset, nearly 400 rods from the fort, a youth, being the servant of John Staelcop, whose parents reside in the colony; his master had just left him; cannot discover what nation did it; we suppose those on the river who are now hunting in this neighbourhood; they lay it on the Minquas or Senecas. We sent for the chief of Passajongh, to whom those hunting here are subjected."

Fort in
want.

"In great want of provisions; our magazine empty. We shall have to expect our bread-corn from Manhattan, as nearly

¹ Albany Records, vol. xvii. pp. 243, 244.

all is purchased by the merchants, and the crop not half the last."¹ 1662.

The sudden and unexpected departure of D'Hinoyossa and Van Sweringen for Maryland created much surprise, as we find by the following letter written about this time, (without date,) by J. Willems to Beekman, from New Amstel: "I do not know if you are informed of the sudden departure of his honour, D'Hinoyossa, and Van Sweringen. Last Monday the governor of Maryland despatched a man to him with a letter, that he ought to come directly to the house of Augustin, where the governor was waiting to converse with him, when the shallop was directly made ready, and they sailed at night. I do not know what it means, as he made no communication to any one, except that he informed me of his departure by a messenger, without mention of place; all this surprises me much, as does his departure without any knowledge of his council given him to assist him; wherefore I would not delay in communicating it. Who knows what it means, if it is not a consequence of the conversations in the valley, which have been witnessed by several persons that they were speaking together, lifted their eyes up towards heaven, laid their hands on their breasts, with other strange grimaces, wherefore you will reflect, and consider maturely, and examine, if perhaps in that valley may not be a basilisk breeding. I will not suspect any evil intention, but it certainly can do no harm to be on one's guard; this even I must approve, and if your honour might see or observe something, then I trust you will communicate it directly to the patron at Manhattans, and remain meanwhile in the wish to converse with you in person on the subject."

November.
D'Hinoyossa
and Van
Sweringen
depart sud-
denly for
Maryland,
which
creates great
surprise.

Beekman writing to Stuyvesant, says, "When I arrived this day at New Amstel, to assist at the funeral of *Mr. Willems*." This is probably the writer of the preceding letter.

Nov. 27.
Death of
Willems, &c.

"I have been compelled to request Huygens to provide 300 gl. in beavers, to pay for wages and cattle, &c."²

On the 3d, arrived at Altona three Minqua chiefs, with their suite. Supposing that they had something to communicate respecting the murder, Beekman requests the presence of the Swedish commissary, with Mr. Huygens and Jacob Swens as interpreter, to come to Altona. The chiefs, on the 6th, bitterly complained, that on our information and com-

Dec. 23.
Arrival of
chiefs at Al-
tona. Pro-
pose going to
war with
Senecas.

¹ Albany Records, vol. xvii. pp. 245, 246.

² Ibid. p. 247.

1662.

Murderer
discovered.
Ask ammu-
nition.

plaints, they discovered that this murder was committed by a young savage residing among their tribe, he being a captive Seneca. They suggest, that as long as Christians resided here, it can never be proved that they have in any manner, by that nation, been injured or offended; on the contrary, they have showed them every mark of friendship, and were always willingly and cheerfully employed in reconciling differences between them and other savages, &c.

They said, about three years since, one of their nation was murdered by Christians at New Amstel, which they did not resent. Presents were exchanged.

"The chiefs expected, ere long, to their assistance, about 800 Swedish Minquas, of whom 200 had arrived, so that next spring they were resolved to make war with the Senecas, and go and visit the forts, wherefore they solicited the Christians to provide them with ammunition of war whenever they paid for it."

Protested
bill of ex-
change given
Miss Printz.

"A protested bill of exchange, which had been given by Mr. La Grange to *Miss Printz*, was shown to William Beekman, and a meeting requested; judgment given and appeal taken."

"I went on the 21st, to Tinneconk, at request of Huygens, and used every exertion to settle differences respecting the protested bill of exchange, but did not succeed." The above letter is dated at "Tinneconk, N. Leyden." This bill of exchange was for a part of the purchase-money of that island, and given to Miss Printz, on which suit is afterwards instituted.¹

1663.

February 6.
D'Hinoyossa
sells every
thing he can.

In a letter of this date, Beekman says to Stuyvesant, "He has related, from time to time, what happened in the colony of New Amstel, principally during the time of these rigorous and bloodthirsty chiefs. D'Hinoyossa sells every article for which he can find a purchaser, even powder and musket-balls from the magazine. I know that he sold a considerable quantity to Augustin Heermans, besides nails belonging to the city, the house in which he lives; offered to sell house in the fort, in which he had built a brewery; says he every day expects powerful succour from fatherland, &c. Perfect darkness about occurrences at Heermans, with Governor Calvert.

¹ Albany Records, vol. xvii.

Sweringen departed about Christmas to Maryland, it is said to receive tobacco for the millstones and galliot, &c. 1663.

D'Hinoyossa considers us as his mortal enemies, rejects a surgeon because he is a friend of Beekman; a great deal of such reports and insinuations.

February 6.
D'Hinoyossa
and Beek-
man ene-
mies. Small-pox
among the
savages. Beekman
sends for
medicines.
None at Al-
tona.

The *small-pox* appears among the savages on the river; apprehends it may visit Altona. "I earnestly solicit that I may receive, by first opportunity, at my expense, what *theriacal, mithridat senna leaves, and other purgatives and cooling remedies* are of service in that sickness, as we have actually a blessing of eight children, and may expect, in such a case, a great deal of trouble, so that by it your honour will oblige us, as no medicines are obtainable here."

"Mr. Huygens is fully resolved to move from N. Leyden, as soon as the river is navigable. One Picard, a *Frenchman*, who resided with his family here three or four weeks, sold his house and land in the colony, and appointed D'Hinoyossa his attorney."¹

Huygens go-
ing to re-
move. A
Frenchman
sold out.

Certain propositions were made to the West India Company by the burgomasters of Amsterdam, intended to promote the interests of the colony. They were presented in ten distinct articles: "1st. That they shall renounce and quit every claim on the property of the said colony. 2d. With all the rights of high and low jurisdiction which they possess on the South River. 3d. Provided they pay to the aforesaid company the recognitions which are actually paid from all imports and exports. 4th. Without being obliged to bring their goods into the company's magazine. 5th. Neither to be visited by any of the company's commissaries. 6th. But to remain satisfied with the declarations of the commissary or director. 7th. And to pay nothing on the South River, neither shall the company claim any authority upon it. 8th. The jurisdiction and property of this land must be considered as extended from sea and upwards on the river, so far as the river stretches. 9th. And towards the north three miles from the border of the river, to interior of the country. 10th. And to the south as far as the country stretches towards the English colony."

February 8.
Propositions
made by
burgomas-
ters to West
India Com-
pany, with
the answer
of the latter,
respecting
the colony
and river.

The following "extract from resolutions of directors of the privileged West India Company," shows the result:

"Thursday, February 8. The commissaries over New Netherland having, in conformity to our resolutions, con-

Resolution
in reply.

¹ Albany Records, vol. xvii. p. 260.

1663.

Resolution of
West India
Company in
reply.

versed with the burgomasters of the city, were unanimously resolved to answer their proposals thus: Noble and respectful lords, the lords burgomasters, Boutemantel and Wilmerdoncx, brought the report to our meeting that your honours delivered to them a memorial soliciting some further exemptions, which their honours are of opinion ought to be granted them by the West India Company, to promote the success of the colony on South River, in New Netherland, named Amstel, with recommendation that it might please the company to take a resolution upon it, as soon as possible, because it is their ardent wish to promote the success of that colony more than it was thus far in their power, on which, having heard the opinion of the aforesaid committee, with that of honourable Huygens, one of the committee intrusted with the concerns of New Netherland, considered that the memorial of their honours consisted in ten articles, on which they resolved as follows:

“The company could make a concession of 4th, 8th, 9th and 10th articles, with regard to the lands and limits mentioned in contracts, and grant of these the full property to your honour, in the manner that they already possess other lands. Neither has the company any objection to abandon the Fort Christina, and deliver it to your honour, provided that the possessors and proprietors of land situated in the neighbourhood are not injured in their rights and privileges, and that your honour will send thither, without delay, a good number of soldiers to the discharge of the soldiers of the company, the security of the colony, and for the defence against the savages, who are increasing their buildings in that neighbourhood annually, and in succession, more than a mile in length, so that 400 colonists would be therefore desirable, at least the farmers should be increased to a sufficient number to protect and settle the whole, while their honours cannot be permitted to sell or dispose of the whole of said colony, or of a part of it, by sales or transfer, or barter, or in any other manner; all this on the forfeiture of the privileges which were granted by this agreement. With regard to the 2d, they answer, that is in conformity with the jurisdiction already granted, as may be seen from the separate conditions and articles 2, 3 and 4. In reply to the 3d, this article is according to the list published with the conditions, by your honour. On the 4th, 5th, 6th and 7th, they cannot

be granted but to the great prejudice of the company, wherefore your honour must excuse the company in declining these, as they already must be understood to have done, from the resolution of the aforesaid company, of 21st March, 1661, art. 4, which we had the pleasure to communicate to you. Articles 8, 9, 10 have been answered at articles 1 and 2, where the question of property and jurisdiction was discussed."¹

"The ground-rent or duties of 4 stivers on each beaver, which thus far was levied on the South River, is abandoned, and left in future for the benefit of the city."²

All goods carried from New Amsterdam to colony of city, and from there hither, (Amsterdam,) as now is the usage, are subject to visitation of a commissary of the company, in future to be by commissary of city, on certain conditions. Various other regulations.

"We heard, with regret, of the murder of a Christian by the savages, in the colony of New Amstel, and as this event might be followed by more serious consequences, we are satisfied with the precautionary measures your honour has taken, while we have not been deficient in providing you with required powder, or to communicate this testimony to the commissaries interested here with the administration of the city, that they might give their officers such orders by which the security may be maintained. This brought to stand an amicable interview between them and us, to the effect that the whole South River shall be left to the city, which should defend it by a complete garrison."³

Hendrick Huygens informs Beekman of a horrid deed at Upland, committed by a Finn, Jan Hendrickson, against the honest Juriaen Kuys Sneart, whom they have cruelly beaten. He was tried, and the case referred to Peter Stuyvesant.⁴

The directors of the West India Company write from Amsterdam to Stuyvesant, "that the complaints which have been made against director of this city, Alexander D'Hinoyossa, and the sheriff, Gerrit Van Sweringen, and their proceedings there in executing and hanging a runaway servant who resided before in New Netherland, is strange." It had before been commanded to the commissary and directors, to exert

1663.

March 26.

Murder of a
Christian by
savages.
Surrender
of river, &c.

March 29.

Murder;
probably
same as
above.

April 16.

Complaints
against
D'Hinoyossa
to directors.

¹ Albany Records, vol. viii. p. 352—355.

² Ibid. vol. viii. p. 356. Ibid. pp. 358 to 364.

³ Ibid. vol. iv. p. 415.

⁴ Ibid. vol. xvii. p. 262.

1668. themselves to restore order. "D'Hinoyossa, (although at his own request,) shall be summoned here; summons to be despatched by a vessel to sail from here on adventure to South River, with a large number of labourers, and some other families."

Complaints
that farmers
are induced
to leave New
Amstel.
Fifty labour-
ers and
twelve girls
coming over.

They allude to "repeated complaints of the commissaries, purporting that the company's government in New Netherland seemed to make it a study to oppress the colony of the city, to prevent its growth, alleging, among other examples, that they did protect the colonists who, from time to time, escaped from the colony, and hired, by sinister means, their best and ablest farmers from there, as they complained, which hath actually been practised with one Brer Wolters. Said commissaries entreated us most seriously, as they had again concluded to send there 50 labourers and 12 girls, for the service of the colony, not only that similar measures might not again be put in practice, but further, if any of them within three years might escape from the service in the colony to the Mannhattans, they might be sent back again."

Another order is given to send over Alricks's papers.¹

May 7.
More colo-
nists.

"Many labourers and other freemen are, on account of this city, going to South River in ship Jacob, from Amsterdam to Mannhattans; passage and board, 36 florins. In fourteen days another vessel is to sail."²

May 17.
Land to
Beekman.

At Beekman's request, a small valley, with six morgens of woodland, bordering on, situated on west side of Altona, and containing about eight morgens, is granted to him by Stuyvesant.³

May 29.
Large bodies
of Seneca In-
dians are on
their march
to the Min-
quas. At-
tack feared
at Altona,
which is in
no state of
defence.

A. Hudde communicates, in a letter from Altona to Stuyvesant, that "information was received by one Harman Reirders, residing in the colony of New Amstel, of the English, which he received with request to communicate to us that the Senecas being 1600 strong, with wives and children, were on their march to the Minquas; that they were yet a two-days' journey from the fort of the Minquas. The Minquas have about 80 men, who, however, were not yet in, besides 100 of the savages from the river, who are already in the fort. The English requested something of the Minquas, which they declined, and now the English seem to favour the Senecas, so that it is said that they had resolved to send some

¹ Albany Records, vol. iv. p. 427.

² Ibid. p. 429. Direct. to P. S.

³ Ibid. vol. xxi. p. 108.

of the men to meet the Senecas, and conclude with them a treaty of peace, and as the savages on the river will not always remain at the fort, this may occasion disturbances on the river during this summer. This was intended for, and despatched to his honour, William Beekman, to communicate this and other parts to him chiefly interesting. I conceived it a duty to present a similar report to your honour, as in our destitute situation it would be entirely beyond my power to make any defence, in case of a sudden attack. We may flatter ourselves that this event will not happen, but we have no assurance.

A. HUDDE."¹

"When I arrived, on the last of May, at New Amstel, I perceived there a great change; all were jointly engaged to repair the fort, as the Minquas were blockaded in their fort by the Senecas, being about 800 strong. When the Senecas approached, three or four men were despatched to the fort with the offer of peace, while their force remained at a distance; but a Minqua returning from hunting discovered the Senecas, so that next day they from the fort concluded to meet them, with 20 or 30 men, when the Minquas at the same time, with their force, made an attack, drove the Senecas to flight, and pursued them for two days, retaking 10 persons, and 10 men killed, if we can depend on two Minquas who arrived at New Amstel on 2d instant.

June 6.

Repairing fort. Fight between Minquas and Senecas.

"On 1st instant, at New Amstel, by the sounding of the bell, is published a certain letter from fatherland, addressed to director-general and council at New Amstel, by which it appears Van Sweringen, the sheriff, was pardoned for shooting an insolent soldier, and that director-general and council are recommended to furnish the magazine with the necessary supplies, as the lords patrons resolved to equip a ship with colonists, besides a number of labourers. At its date it was reported that 130 families had engaged to transport themselves hither at their own expense; further, that the burgomasters were then negotiating with the company to give the whole river to this colony; might expect the result in next vessel.

Van Sweringen pardoned for killing a soldier.

130 families expected.

"If the lord mayors abdicated South River to join to the colony, William Beekman wishes to be employed anywhere in the service."²

W. Beekman wishes to be employed, in case of transfer.

"The directors of the colony of this city, (Amsterdam,) say,

¹ Albany Records, vol. xvii. p. 276.

² Ibid. p. 280.

1663. A. D'Hinoyossa, arrived here three or four days ago, by way of Virginia. We cannot yet discover the motives of this unexpected arrival, as only generally, that the inhabitants in the colony of the city, should, as it were, have compelled him to this journey; time will teach what he may bring with him, and what will be the consequence of his visit."¹

June 28.
Arrival of
D'Hinoyossa
at Amster-
dam.

July 3.
Magazines to
be supplied.
Prospect of
surrender of
river to the
city.

Beekman says, "the directors and council of New Amstel are again instructed to provide magazines, with every necessary article, as new colonists are expected, and there is no doubt the city will unite, with the whole river, to the colony, in which case we shall be compelled to leave this place; wherefore I render my request to your honours that I may anywhere else be continued in the service of the company."²

July 23.
Fears at Al-
tona. Desti-
tute condi-
tion of the
fort.

Beekman having heard of the massacre at Esopus, learns from the savages that they at Altona belonging to the people of director-general may be molested by the runners. He says, "there are only ten or twelve musket-balls in the magazine, and no flints, which are so much more required, as most of the inhabitants have fowling-pieces; all bread and corn nearly gone. I might engage four or five men as soldiers, at 16 guilders light money per month."

Hudde going
to Maryland
to set up
brewing.

"Andreas Hudde says he has asked you for his discharge, intending to reside in Maryland, and set up brewing, assisted by Henry Coursay."

July 24.
Lord Balti-
more ex-
pected. No
wine to treat
him with.

The Senecas are suspected of having murdered two Englishmen in their house, in the upper part of Maryland."³

Rev. Zetsco-
ven called
by Swedes.
Laers op-
poses him.

Lord Baltimore is expected at Altona, and Beekman informs Stuyvesant that "here on the river, not a single draught of French wine is obtainable, and requests him to send some, to treat the nobleman with, and charge it to me."

"Abelius Zetscoven, (or Schelshooven,) received an invitation and calling by the Swedish congregation, under the approbation of your honour, but the Rev. Laers opposed himself against him with all his influence, so that the commissaries were compelled to threaten him with a protest, before he could be persuaded to permit the Rev. Zetscoven to preach on second day of Whitsunday."⁴

July 28.

He mentions the debut of Sheriff Van Sweringen, court, &c. The sheriff continues to act, and wear his sword in public.

¹ Albany Records, vol. iv. p. 431; Letter from Directors in Holland to Peter Stuyvesant.

² Ibid.; Letter of W. Beekman to P. Stuyvesant.

³ Ibid. vol. xvii. p. 290.

⁴ Ibid. p. 286.

"On the 9th, arrived at New Amstel, Lord Baltimore, with 1663.
his suite, consisting of about 26 or 27 persons. On 11th
and 12th, I entertained his lordship at Altona, and the go-
vernor has it in contemplation, when he visits Boston in the
spring, to take his passage by way of Manhattan. He desired
me to thank you for your offer of convoy and horses."

August 15.

Lord Balti-
more ar-
rives.Treaty with
Indians
about limits.

"On 12th, at request of Sheriff Van Sweringen, appeared
several chiefs of the river savages, when the sheriff, without
notice to us, renewed, together with the English governor and
council, a treaty of peace and friendship, which had been
made with the savages about two years before, and endea-
voured, in that course, to define the limits, in conformity to
the demands of his masters, when the answer was, they
would communicate to Lord Baltimore. On the 9th, I re-
ceived your orders for a general fast and prayer-day, which
we shall observe in conformity."¹

Fast day.

In this month also, arrived a ship "from Holland, with
new planters, ammunition, and implements of husbandry."²

Arrival
from Hol-
land.

"I only heard, August 27, that the Esopus savages were
now encamped at the head of this river, near the Minnesinks,
who, it is reported, united with them. On the 28th, I learned
at *Keneses*, that on the 24th there had been two of Esopus
savages there about a day. 25th August, three Minquas
passed by here, and say they returned from the Maquas,
where they went to offer their presents; that the Maquas
killed three of their squaws and two river savages who were
all in camp. The Senecas will be assisted by the Maquas
against Minquas. The governor of Maryland lately assisted
the Minquas with powder and balls, and two pieces of cannon,
and four men to manage them. The fort wants repair; also
the palisades, and the whole is in decay, and soldiers will
want clothing for winter. A. Hudde anxious for his dis-
charge. Evert Hendrickson is unruly."³

September 1.

Esopus.
Minnesinks
and Min-
quas.
Senecas.
Governor of
Maryland as-
sists Min-
quas with
guns, &c.
Fort in de-
cay.

Peter Kock takes the oath of fidelity as collector of tolls
on imports and exports from colony of city.

Sept. 9.

The directors of the company having resolved to cede the
river to the city, thus give to Stuyvesant their views and
motives:

Sept. 11.

"Since the peace concluded between this government and
that of England did effectually forbid the English to execute,

¹ Albany Records, vol. xvii. p. 298.² Smith's N. Y. vol. i. p. 13.³ Ibid.

1663. by force of arms, their hostile intentions against the conquest of New Netherlands, which they had revealed long ago, we could discover, without a great effort, that they meditated other expeditions in lieu of those which have been taken from their hands by said peace, encroaching upon us from every side, by dint of colonies, even within these boundaries, which could on no account be contemplated, as not belonging to the conquests of the company. This daring enterprise, with other motives besides, made us resolve to make a cession of the South River to the city of Amsterdam, on such terms as are known to your honour, in the firm persuasion that said city should, by a numerous population, in such manner have overawed the English, that the interests of the company in New Netherland should have been placed in a state of perfect security. But when experience had revealed what was before concealed by ignorance, in the day-spring of similar important concerns, so have we agreed with the city of Amsterdam, after we had examined together on what time had instructed us, what was unavoidably required to promote the population on the South River, that we, besides the stipulations on which we entered before with said city, should transfer to it all our right and title, as your honour may see from the enclosed extract of our resolutions of 8th and 16th February, and 30th July, and 3d and 9th of August, for conformity with them, we recommend your honour expressly, and command you, to transfer to such one or them whom the city of Amsterdam shall have authorized, all the lands and places mentioned in the 1st, 8th, 9th and 10th articles, in such manner and on such terms as the cession has been made, and abandoning Fort Christina, all the ammunition of war, the guns, and all which belong to those, with other property of the company, with the garrison, must be removed from there."

"Your honour will deliver to him or them all the letters, charters, and papers which are in the secretary's office, with *poor* money, and all that which may bear any relation to the colony on the South River, giving all which belongs to them, and keeping only what remains our property. In this manner your honour shall execute our intentions, which the service of the company have induced us to adopt."

After speaking of debts and persons, to avoid their moving from one colony to the other, they say, "We, in conformity with our resolutions of the 3d and 9th August, require from

Reasons for the surrender of South River to city, and Fort Christina.

Instructions to Stuyvesant to surrender the river.

Order to deliver papers, &c.

Not to admit colonists into Manhattan.

your honour, and by this letter command, to admit in future, not one of the colonists of the city, or of its labourers, except they can show their pass, and prove by a certificate that the city has received payment of her advance money." He must consider private debts as personal matters; begs him to settle, as soon as possible, the account between the colony and the city. Speaks of a brewery sold by city's director, Alexander D'Hinoyossa, without any process, for half its value, on behalf of one Meyndert Jansen Hoorn, to cover by it a certain bond of late deceased J. Alricks and A. D'Hinoyossa, which this city has declined receiving; asks for information about it. Encloses copy of oath to be taken by custom-house officers.¹

D'Hinoyossa
sells brew-
ery, &c.

The directors in Amsterdam inform Stuyvesant of the surrender of the river to the city. They refer to a letter of the 14th, informing "that we have entered into a contract with this city, about our possessions on South River, adding the reasons and motives which induced us to this step, viz. to secure, in this manner, without any expense of the company, the South River from the encroachments of our English neighbours from the south, of whom nothing more favourable can be expected than from those of the north, who, notwithstanding the alliance between the crown of England and this republic, are continuing in their usurpations, as your honour, in such significant terms, related in your last letter of May, soliciting, with eagerness, that we might procure a finale of the mutual boundaries, so that we, in answer to this, may well say, that it has been highly serviceable that we made this cession of the whole river to the city, and recommend to her its protection and preservation, as able to effect, with more force and authority, to which she is obliged by the stipulations of the contract. It appears, too, that this city is willing to fulfil her engagements, while she, since that event, not only with more zeal, but with more vigour, exerts herself in watching her own interests in that distance, having resolved to transport to that country annually, 400 colonists, and other useful husbandmen, if a larger number is not obtained, which of course must contribute to our security against the English north. We may expect, besides this, a more powerful intercession of this city by our government, to obtain from the crown of England the final settlement of the long-desired

Sept. 21.

Contract entered into for the surrender of the river to the company. Reasons for it.

¹ Albany Records, vol. iv. pp. 433—436.

1663. boundaries, for which we shall leave nothing unexplored, and communicate the result. While we renew our recommendation to maintain yourself in possession of territory which has been allotted to us by the provisional treaty, and to resist all new encroachments of our English neighbours, as in our power."

Views on the
cession of
the river.

"We must inform your honour that this cession of our possessions on South River made some merchants who are trading to New Netherlands very uneasy, while they are apprehending that the commerce of the Manhattans might be more diverted to another channel, because the city had reserved to her alone the exclusive commerce of that river, which in our opinion has been principally intended that the vessels which she hired for the transport of the labourers and free colonists might not return with their cargoes, as she could not succeed in engaging any ships to undertake the voyage, except they were previously secured that they would obtain again their freight hither. Thus at least has been the case of the 'Parmeland Church,' which lately sailed to that colony, by which this city sends them a cargo of goods, to traffic for tobacco and fur." * * *

"We recommend your honour to obtain information about the government and success of said colony, expecting from Gerrit Kock, who had been appointed, by city and company, custom-house officer on South River."¹

By a postscript to this letter, it appears a communication for D'Hinoyossa accompanied it, "of importance;" so it is probable he was returned from Holland.

October 16.
Swedish ves-
sels of war
expected.

The directors in Holland say to Peter Stuyvesant, "We have been advised, some time ago, from Sweden, that Admiral Hendrick Gerritson Leeselein was equipping there two vessels, the one the frigate Falcon, of 32 guns, the other a yacht of 8 or 10 guns, of whose destination various rumours were there afloat. * * * Others guessed that their aim was in America or Nova Scotia, and so on the South River or New Netherland, to take it in their possession and cultivation again; and although the latter has very little plausibility in it, however, while we are now informed from there that the said vessels have actually sailed, and it remains possible that they might have contemplated to venture an enterprise on the South River, after they have accomplished their plan of

¹ Albany Records, vol. iv. p. 437.

commerce with Guiana, so we have deemed it expedient to give your honour timely warning, without the ministers of the city and colony on said river, may at an early period be admonished to be on their guard."¹

1663.

"Since our letter of 16th, we were informed that the two Swedish vessels should, when arrived in the Sound, embark there 200 or more soldiers, with the renewed report that their destination was towards South River, wherefore we command and recommend you, at the solicitations of the commissioners and directors of the colony of this city in New Netherland, that all the guns which the company has in Fort Christina, otherwise called Altona, when that fort was surrendered, shall, for the present, and till you receive further orders, under a formal handwriting and signed obligation to return them to the company whenever it is required, be delivered to the director of the city's colony there, so that the said colony be in a better state of defence, on an arrival of said Swedish vessels."²

October 30.
Swedish expedition.
Directions respecting Altona.

"Abelius Zetscoven is, as I before informed your honour, called as a minister by those of the Augsburg Confession who reside in the colony of New Amstel, with consent of the director and council of that colony, under the approbation of the high and respectful lords the burgomasters. He has, during his residence there, been but once, the last Monday of Pentecost, in the district of the company, when he preached at Tinnekong, at the request of the Swedish commissaries, when they offered such a salary as was received by the Rev. Laers. Their chief object was to engage him as schoolmaster, but those of New Amstel would not dismiss him. What your honours have been informed that he too administers baptism, is not true,³ so that in this I shall wait upon your honour's further orders."

Nov. 15.
Rev. Mr. Zetscoven preaches at Tinnekong, where he is called.
Wanted as schoolmaster. Won't dismiss him from New Amstel.
Don't baptize.

"I found myself obliged to dismiss Andreas Hudde, on his continued entreaties and lamentations to move to Maryland, on last of October. He started from here with his family, on the 1st of November, for Appoquinimy, and died there on the 4th, of an ardent fever." Thus ended the life of this long-tried and faithful servant of the Dutch. He

Removal and death of A. Hudde.

¹ Albany Records, vol. iv. p. 444.

² Ibid. p. 447.

³ Acrelius, p. 425, says, "A student, *A. Selskoorn*, came to the country, and some time performed divine worship at Sand-hook, went to New Amsterdam, and got a call from Stuyvesant; he never had charge of any congregation on South River, as a regularly ordained clergyman."

1663.

was, as early as 1642, appointed surveyor at Manhattan, from which station he was removed to South River, in 1645, as commissary at Fort Nassau, since which time he has been identified with the Dutch interests on this river, having conducted almost all their negotiations, especially those with the Swedes under Governor Printz, of which we have already given a full report, made purchases of land, and been commander at Altona; in short, throughout the whole course of the Dutch, excepting a few of the later years, he has been one of the most prominent, useful men; notwithstanding, he appears, in his old age, to have laid up little for himself, and becoming weary of his position, determines to remove to Maryland, and while on the road, is arrested by death, but a few months before the Dutch power itself on the river ceases to exist.

Garrison.

The garrison at Altona yet consists of ten persons.

Savage chief
friendly to
the Dutch.

The savage chief, Erwehong, says he will undertake nothing against the Dutch.¹

December 5.

Return of
D'Hinoyossa
with 150
souls.

“D'Hinoyossa arrived from Holland, on 3d instant, in the ship ‘Parmeland Church,’ towards evening, with Peter Alricks and Israel, who departed with Miss Printz, and about 150 souls. The member of the high council came to inform me that I need not send any soldiers on board; that he would show me something from the lords directors; of which letter I now send you a copy. It is said here that the whole South River is actually annexed to the colony.”

The following is the letter referred to from the directors of the West India Company to William Beekman:

Instructions
to W. Beek-
man, till he
receives fur-
ther orders
from direc-
tor-general.

“Honourable, devoted, beloved, faithful—Whereas we have resolved to grant certain points to the commissaries and director of the city's colony, which points will in due time be communicated to you by the director-general and council in New Netherland, and the aforesaid commissaries carried with them our orders relative to those points, in the ship ‘Parmeland Church,’ so we concluded further, and resolved, that the aforesaid commissaries might directly enjoy the benefits of the newly obtained conditions, to command you to remain quiet, and not to interfere in any manner in any concerns before intrusted to your superintendence, which have any relation to the city's colony, till you shall have received your orders from the director-general and council, in conformity

¹ Albany Records, vol. xvii. p. 309.

with which orders you will have to regulate your conduct, and this we deem expedient for the service of the company. 1663.

“Signed by directors of the privileged West India Company, department of Amsterdam. JACOBUS REYNST,

“CORNELIS CLOECK.”¹

William Beekman writes to Peter Stuyvesant pitifully for an office, as he cannot live here as a freeman and support his family, and don't wish to go to Maryland; “take care of me as fathers.”² December 6.

Agreeably to his instructions, Stuyvesant made the following formal transfer of the South River to the city of Amsterdam: Dec. 22.

“Peter Stuyvesant, in behalf of their high and mighty lords States-General of United Netherlands, and the lords directors of the privileged West India Company, department of Amsterdam, director-general of New Netherland, &c., with the honourable council, attest and declare how we this day, in conformity to the orders and letters of aforesaid lords directors, of 11th September, 1663, transported, surrendered and transferred to the honourable Alexander D'Hinoyossa, in behalf of the noble, great, and respectful lords burgomasters of the city of Amsterdam, director in their colony on the South River, from the sea upwards, so far as that river extends itself, towards the country to the east side, three miles from the borders of the river, and towards the west side, so far as the country is extending, till it reaches the English colonies, with all the streams, kills, creeks, harbours, bays, and parts relative to it, of all which land, with all its dependencies, especially so of the fortress of Altona, we, in the name and in behalf of the aforesaid lords directors, make at this time a full cession and transfer to the aforesaid Alexander D'Hinoyossa, on behalf of the noble, great, and respectful burgomasters of the city of Amsterdam aforesaid, making to him a cession of all actual and real possession, property, and privileges, and all this upon such conditions as have been agreed upon between the noble lords directors, and other noble, great, and respectful burgomasters of the city of Amsterdam, without reserving any actual or real pretensions, promising therefore to consider and keep this transfer inviolate in truth; wherefore we signed it, and confirmed it with

Transfer of
South River
by Stuyve-
sant to
D'Hinoyossa,
for the bur-
gomasters of
Amsterdam.

¹ Albany Records, vol. xvii. pp. 309, 311.

² Letter from William Beekman to Peter Stuyvesant.

1663. our seal in red wax imprinted, in the Fort Amsterdam, in New Netherland, 22d December, 1663."¹

Not signed on the record.

Dec. 28.
D'Hino-
yossa's offer
to W. Beek-
man.
Tobacco and
fur trade re-
served to
city.

Labourers
hired out.

D'Hino-
yossa's resi-
dence at Ap-
poquinimy.
Capital;
trade; dykes.

Alricks and
fur trade at
New Amstel.
Israel at
Passyunk.

Distilling
and brewing
prohibited.
Tobacco and
furs to pay
recognition.

Beekman writes again to Peter Stuyvesant, that D'Hino-yossa proposed, if he would stay at Altona, and take possession of some agricultural land, he would provide five or six men servants, which Beekman declines, as he can see no good from it, as in future no freeman would be permitted to trade either with the English or savages, and the tobacco and fur trade was entirely reserved for the city. It is said D'Hino-yossa takes half profits of both trade and agriculture; thinks the valleys not so profitable as the woodland. Labourers who arrived in July, per ship "Jacob," are hired to farmers, and engaged as soldiers at 110 gl., for rations, 6 gl.; some also to cook and wash for them. D'Hinoyossa will take his future residence on Appoquinimy, where he intends to build a capital, to promote his trade with the English; he resolved to construct dykes around several valleys in that vicinity; Beekman foresees that the savages will be much opposed to it. Peter Alricks is to superintend the fur trade, who brought with him for this purpose 200 pieces frieze, blankets, &c. Alricks to trade at New Amstel, and with other members of council; Israel at upper end of Passajongh, and another at Whorekill. D'Hinoyossa had engaged to load this vessel with tobacco or wheat, of which there is no prospect, owing to dryness in Maryland. He, shortly after arrival, prohibits distilling and brewing in the colony, even for domestic use; he means to extend it to the Swedes. All goods imported, and tobacco and furs exported, to pay recognition. Beekman has not seen or spoken to D'Hinoyossa, and wishes to live elsewhere.²

1664.

March 22.
King Charles
determines
to dispossess
Dutch.
Grant to the
Duke of
York.

King Charles II. determined, though not yet at war with the Dutch, to dispossess them of the settlements they had made on what the English claimed as their territories, and thus put an end to the continual disputes which, as we have seen, were occurring between them. As a first step towards it, the king, on the 12th March, 1664, granted to his brother James, duke of York and Albany, a patent, embracing "all that part of the main land of New England, beginning at a

¹ Albany Records, vol. xxi. p. 445.

² Ibid. vol. xvii. pp. 317, 318.

certain place called or known by the name of St. Croix, next adjoining to New Scotland, in America, and from thence extending along the sea-coast unto a certain place called Pemaquie, or Pemoquid, and so up the river thereof, to the furthest head of the same, as it tendeth northward, and extending from thence to the river of Kimbequin, and so upwards by the shortest course, to the River Canada, northwards; and also, all that island or islands commonly called by the several name or names of Meetewacks, or Long Island, situate and being towards the west of Cape Cod and the narrow Higansetts, abutting upon the main land between the two rivers, there called or known by the several names of Connecticut and Hudson's River; together also with the said river called Hudson's River, and all the land from the west side of Connecticut to the east side of Delaware Bay; and also, all those several islands called or known by the names of Martin's Vineyard, or Nantukes, otherwise Nantucket; together with all the lands, islands, soils, rivers, harbours, mines, minerals, quarries, woods, marshes, waters, lakes, fishings, hawking, hunting, and fowling, and all other royalties, &c. to the said islands, lands, and premises belonging and appertaining, with their and every of their appurtenances; and all our estate, right, title, interest, benefit, advantage, claim, and demand, &c., to have and hold all and singular the said lands, &c. hereby given or granted, or hereinbefore mentioned to be given or granted, unto our dearest brother, James, duke of York, his heirs and assigns, for ever, &c. to be holden of us, our heirs and successors, as of our manor of East Greenwich, in our county of Kent, in free and common socage, and not in capita, nor by knight-service, yielding and rendering;" duke consenting to pay, when demanded, forty beaver skins. "And we do further, of our special grace, certain knowledge, &c., for us, our heirs, &c. give and grant unto our said dearest brother, James, duke of York, his heirs, deputies, agents, commissioners, and assigns, by these presents, full and absolute power and authority to correct, punish, pardon, govern, and rule all such the subjects of us, our heirs and successors, &c."¹

A commission was issued by King Charles II., (he having been informed, by representations from New England, of various evils requiring regulation,) to Col. Richard Nicholls,

¹ Smith's New York, vol. i. pp. 14, 15.

1664.
Grant to the
Duke of
York con-
tinued.

1664. Sir Robert Carre, knight, George Cartwright, Esq., and Samuel Maverick, Esq., with extensive powers to visit the several colonies, "hear and receive, examine and determine all complaints and appeals, in all matters, military, civil, and criminal, and proceed in all things for the providing for and settling the peace and security of the country, according to their discretion and instructions." The 2d article of their instructions is, "after all the ceremonies are performed, (with New Englanders,) and in the first place, of all business, and before you enter upon any other particular, discourse at large, and with confidence, to them, all that we ourself have discoursed with you of reducing the Dutch in or near Long Island, or anywhere within the limits of our dominions, to an entire obedience to our government. They will be easily informed of the consequence of such neighbourhood, if they be long suffered to raise a government of their own; that besides their being a receptacle and sanctuary for all mutinous, seditious, and discontented persons who fly from our justice as malefactors, or who run away from their masters, or avoid paying their debts, or who have any other wicked design, as soon as they shall grow to any strength or power, their business is to oppress their neighbours, and engross the whole trade to themselves, by how indirect, unlawful, or foul means soever; witness their inhuman proceedings at Amboyna, in a time of full peace, and all professions of particular love and friendship, and therefore it is high time to put them out of a capacity of doing the same mischief there, and reducing them to the same rules and obedience with our own subjects there, which you are to let them know is all we aim at, without using any other violence upon or towards them than is necessary to these ends, and that no man shall be disturbed or removed from what he possesseth, who will yield obedience to us, and live in the same subjection, and upon enjoying the same privileges with our other subjects; and in order to this good end, of so great and immediate concernment to them, you shall desire their advice and concurrence, and that they will assist you with such a number of men, and all other things necessary thereunto; and you shall thereupon proceed in such a manner as you shall think it fit, either by building forts above them, or by using such force as cannot be avoided, for their reduction, they having no kind of right to hold what

Commission
and instructions to
Nicholls, Carre,
&c., to reduce
Manhattan.

they are in possession of in our unquestionable territories, than that they are possessed of it by an invasion of us."¹ 1664.

A patent was issued by the Dutch governor at Delaware, D'Hinoyossa, to Swen (or Sven) Gondersen, Swen Swensen, Oele Swensen, and Andries Swensen, for a certain piece of land "lying up above in the river, then beginning at Moyamensing's kill, and so stretching upwards, in breadth 400 rods, and in length into the woods, 600 rods, amounting in all to about 800 acres, or 400 morgens." This grant is afterwards confirmed by the English governor, in 1671.²

May 15.

Grant of
land to
Swensons.

"On the 5th ultimo, the Swedes and Finns were summoned to appear here at Altona, and appeared here, when we resigned our office, and were then, by the council of New Amstel, as commissioners, informed, that, by your honour's intercession, I might keep possession of my present dwelling till spring; and arrangements were made that within fourteen days the soldiers should give up their quarters, which shall be executed.

July 2.

Beekman,
&c. resign.
Soldiers to
give up their
quarters.

"On the 9th, appeared here the Swedish deputies, and a great part of that and the Finnish nation. After they were absolved, at their request and proposal, from the oath they had taken, to take a new oath, they were, on the 10th, at New Amstel, where they say we are now sold, so deliver us. On the 8th, the oath was proposed to them in my presence, by the directors and council, which they unanimously refused; or they required previously, in writing, all such privileges of free trade and others, as they before were favoured with, under the company's administration, and without these they would be compelled to depart. Then eight days are allowed them to consult with the remainder, but then they must either take the oath or depart from here. I have been informed they prefer to reside under your government at Newesing, or the neighbourhood. D'Hinoyossa offered me my present residence, if I would cultivate the great farm in my vicinity."³

Swedes and
Finns ab-
solved from
former oaths
and required
to take new
ones or de-
part. They
refuse; al-
lowed eight
days to con-
sider; prefer
Manhattan.

About this time Beekman took his departure from South River for Esopus, where he was appointed sheriff. His correspondence, of which we have made such a liberal use, has come to a close. It has enabled us thus to supply a portion

Beekman
leaves South
River.

¹ Hazard's Hist. Coll. vol. ii. pp. 639, 640, where see the Commission and Instructions at length.

² Recorded in Patent-Book A., vol. ix. p. 363, and Exemplification Record, vol. ii. pp. 548, 549.

³ Albany Records; copied from J. W. B.'s book at New York.

1664.

Close of his
correspon-
dence.

of our history for which we should have looked in vain elsewhere. Beekman appears to have communicated to Stuyvesant, very freely and minutely, every circumstance as it occurred, and thus furnishes us with many details, which better illustrate the character of the men and the times than would have been exhibited in more formal official despatches. Some allowance must perhaps be made for excited feelings, arising from his connection with, and position in regard to D'Hinoyossa, with whom there appears to have been no very friendly intercourse, but of the merits of their controversy we are not prepared to form a fair judgment, as we have but one side of the story. Acrelius indeed says, "While the two colonies were kept up, Beekman had a share in the administration, but he was little considered. This made him envious of D'Hinoyossa, whom he aspersed in frequent letters to Stuyvesant." It is certain, however, he supported some of his charges by evidence, and on leaving the river, was rewarded at Manhattan by an office, in which he continued several years under the English government, and afterwards was alderman at New York. He died in New York, in 1707, aged 85, leaving numerous and highly respected descendants, many of whom are to be found at the present day; a daughter of his married a son of Stuyvesant.¹

July 3 & 4.

Grant of N.
Jersey by
the Duke of
York to
Berkley and
Carteret.

Not long after the grant to the Duke of York, and before he had actually received possession of the territory given him, he, by deeds of lease and release, conveyed a portion of it to Lord Berkley and Sir George Carteret, viz. "all that tract of land adjacent to New England, and lying and being to the west of Long Island, bounded on the east part by the main sea, and part by Hudson's River, and hath on the west Delaware Bay or River, and extendeth southward to the main ocean, as far as Cape May, at the mouth of Delaware Bay, and to northward as far as the northernmost branch of said bay or river of Delaware, which is in 41° 40' of latitude, and worketh over thence in a straight line to Hudson's River; which said tract of land is hereafter to be called by the name or names of Nova Cæsarea, or New Jersey." Thus New Netherlands became divided into New York and New Jersey.²

About this time a memorial, presented by the Swedish resident to their High Mightinesses, in support of the right of the Swedish crown to New Sweden, in which a short review

¹ O'Call. vol. ii. p. 473.

² Smith's N. J. Proud.

of the facts is taken, and claiming satisfaction from the West India Company. The question was not finally settled for several years.¹ 1664.

Under their instructions, Colonel Nicholls and the other commissioners set sail from Portsmouth, England, with the frigate *Guinea* and three other vessels, having on board 300 soldiers, and a large number of men. After having been separated at sea, one frigate arrived first, and in three days the others made their appearance, in the latter end of August, much to the surprise of the Dutch, although they had, through an Englishman, some intimations of their intended departure.

On their arrival, the English issued a proclamation,² offering protection to those who would submit to his majesty's government. On the 19th August, Governor Stuyvesant wrote to the commanders, by the hands of several distinguished citizens, inquiring the object of their arrival and continuance in the harbour, without giving notice of their design, as he ought to have done, which was fully communicated the next day in a letter to the Dutch governor, by Colonel Nicholls, (but this being unsigned, for which he apologized,³) requiring a surrender of the forts, &c., and expecting an answer by the bearers, Colonel Carteret, &c. The governor, in a short note, promised an answer next morning. Accordingly, the governor, after convening and consulting the council and burgomasters, without exhibiting the summons, and a letter from Governor Winthrop, advising the surrender, which he tore in pieces, determined to make a defence, and wrote a long letter to Nicholls, giving an historical account of the Dutch claim, which he concludes thus: "As touching the threats in your conclusion, we have nothing to answer, only that we fear nothing, but what God, (who is as just as merciful,) shall lay upon us, all things being in His gracious disposal, and we may as well be preserved by him with small forces as by a great army, which makes us to wish you all happiness and prosperity, and recommend you to His protection."⁴ August 19. August 30.

September 2.

September 3.

¹ Aitzema in O'Call. vol. ii. p. 573.

² See it in Smith's N. J. p. 36. Smith's N. Y. vol. i. p. 25.

³ See Reg. Penns. vol. iv. p. 31.

⁴ See these various Letters in Reg. Penns. vol. iv. pp. 31, 41. Smith's N. Y. vol. i. pp. 18—24.

1664. issues his order to Captain Hyde, of the "Guinea," "to prosecute his majesty's claim by all ways and means he may think expedient, for a speedy reduction of the Dutch to obedience."¹ This, and the pressure of an English ship into the service, induced the governor to think more seriously of the matter, and to write to the colonel, saying, that finding by his deputies, "you persist on the summons, though by his orders he is obliged to defend the place, however, that he makes no doubt, that upon said assault, and our defence, there will be a great deal of blood spilled, and greater difficulty may arise." He sends several persons, "to the end of providing some means to hinder and prevent the spilling of innocent blood;" asks him to appoint a time and place "to treat, and seek out the means of a good accommodation." Nicholls thinking it more agreeable to his king's wishes "to avoid the effusion of Christian blood," but insisting upon his first summons for surrender, and supposing that the governor intends to do so, wishes health and prosperity to every inhabitant.

September 3.
Negotiations
between
Nicholls and
Stuyvesant.

Nicholls, "to prevent the effusion of blood," appoints commissioners to meet those of the Dutch, on the next day, August 27, when articles were drawn up and signed by commissioners of both sides, and on the 8th, were ratified by Stuyvesant; the limits of both parties to be fixed by the crown and States-General.²

September 3.

New Amsterdam was thenceforward named New York.

Sept. 13.

Affairs being arranged at New Amsterdam, (now New York,) the commissioners next turned their attention to the Delaware, and a commission was issued by the other three commissioners, to Sir Robert Carre, as follows:

Commission
to Sir Robert
Carre to pro-
ceed to, and
reduce Dela-
ware.

"Whereas we are informed that the Dutch have seated themselves at Delaware Bay, on his majesty of Great Britain's territories, without his knowledge and consent, and that they have fortified themselves there, and drawn a great trade thither, and being assured that if they be permitted to go on, the gaining of this place will be of small advantage to his majesty, we his majesty's commissioners, by virtue of his majesty's commission and instructions to us given, have advised and determined to bring that place, and all strangers thereabout, in obedience to his majesty, and by these do order and appoint that his majesty's frigates, the 'Guinea,' and the 'William and Nicholas,' and all the soldiery which are not in

¹ Reg. Penns. vol. iv. p. 43.

² Smith's N. Y. vol. i. p. 25.

the fort, shall, with what speed they conveniently can, go thither under the command of Sir Robert Carre, to reduce the same, willing and commanding all officers, at sea and land, and all soldiers, to obey the said Robert Carre during this expedition. Given under our hands and seals, at the fort in New York, upon the island of Manhattans, 3d day of September, 1664. Signed,

R. NICHOLLS,
"G. CARTWRIGHT,
"S. MAVERICK."¹

Sir Robert was instructed, when he comes near the Dutch fort, to send his boat on shore, to summon the governor and inhabitants to yield obedience to his majesty, as the rightful sovereign of that tract of land, and let them know "that all the planters shall enjoy their farms, houses, lands, goods, and chattels, with the same privileges, and on the same terms upon which they do now possess them, only that they change their masters, whether they be the West India Company or the city of Amsterdam. To the Swedes you shall remonstrate their happy return under a monarchical government, and his majesty's good inclination to that nation, and to all men who shall comply with his majesty's rights and title in Delaware, without force of arms."

His instructions.

That all cannon, arms, and ammunition belonging to the government shall remain to his majesty.

Future trading to be regulated by rules of parliament; right of conscience to be guarantied; for six months, all the present magistrates to continue in office, taking oath of allegiance, and their acts to be in his majesty's name.

If Sir Robert finds he cannot reduce the place by force, nor upon these conditions, he may add such as he finds necessary, but if both fail, he is, by a messenger to the governor of Maryland, to ask aid. After reducing the place, his first care is "to protect the inhabitants from injuries as well as violence, from the soldiers, which may be easily effected, if you settle a course for weekly or daily provisions, by agreement with the inhabitants, to be satisfied to them either out of the profits, customs, or rents belonging to their present master, or, in case of necessity, from hence."

The laws for the present to remain, as to administration of right and justice.

He is to declare to Lord Baltimore's son, and all the Eng-

¹ Reg. Penns. vol. i. p. 36, from A. P. S. MSS. and N. Y. Records.

1664.

Instructions
to Sir Robert
Carre.

lish concerned in Maryland, that this great expense to his majesty, in ships and soldiers, has been incurred solely for the purpose of reducing foreigners in these parts to his majesty's obedience, but that being reduced at his majesty's expense, he is commanded to hold "possession for his majesty's own behoof and right, and that he is willing to unite with the governor of Maryland on his majesty's interests, on all occasions, and if my Lord Baltimore doth pretend right thereto by his patent, (which is a doubtful case,) you are to say that you only keep possession till his majesty is informed and otherwise satisfied." In other things, Sir Robert is left to his discretion, and the best advice he can get in the place.¹

October 11.

In compliance with his orders, Sir Robert proceeded to the Delaware, and commenced his operations, which are related by himself to Colonel Nicholls, in detail, a few days after. The result was a capitulation, when the following "Articles of Agreement" were entered into "between the honourable Sir R. Carre, knight, on behalf of his majesty of Great Britain, and the burgomasters, in behalf of themselves and all the Dutch and Swedes inhabiting on Delaware Bay and River.

Articles of
capitulation.

"1. That all the burghers and planters will submit themselves to his majesty's authority, without making any resistance.

"2. That whoever, of what nation soever, doth submit to his majesty's authority, shall be protected in their estates, real and personal, whatsoever, by his majesty's laws and justice.

"3. That the present magistrates shall be continued in their offices and jurisdictions, to exercise their civil powers as formerly.

"4. That if any Dutchman or other person shall desire to depart from this river, that it is lawful for him so to do within six months after the date of these articles.

"5. That the magistrates and all the inhabitants, (who are included in these articles,) shall take the oath of allegiance to his majesty, and of fidelity to the present governor.

"6. That all the people shall enjoy the liberty of their conscience in church discipline, as formerly.

"7. That whoever shall take the oath, is from that time a free denizen, and shall enjoy all the privileges of trading into

¹ Reg. Penns. vol. i. p. 37, from A. P. S. MSS. and N. Y. Records; see them at length.

any of his majesty's dominions, as freely as any Englishman, and may require a certificate for so doing. 1664.

"8. That the schout, the burgomaster, sheriff, and other inferior magistrates, shall use and exercise their customary power in administration of justice within their precincts, for six months, or until his majesty's pleasure is further known." Articles of capitulation, continued.

The Oath.—"I do swear by the Almighty God, that I will bear faith and allegiance to his majesty of Great Britain, and that I will obey all such commands as I shall receive from the governor, deputy governor, or other officers appointed by his majesty's authority, so long as I live within these or any other of his majesty's territories.

"Given under my hand and seal, this first day of October, in the year of our Lord God, 1664. ROBERT CARRE.

"Given under our hands and seals, in behalf of ourselves and the rest of the inhabitants, the first day of October, in the year of our Lord God, 1664.

"FOB OUT HOUT, HANS BLOCK,
"HENRY JOHNSON, LUCAS PETERSON,
"GERRIT S. VAN TIELL, HENRY CASTURIER."

Thus terminated the Dutch power on the Delaware, except for a short period in 1672, and thus was more speedily accomplished than was anticipated when it was made, the prediction that "this river will be settled by the English and Swedes."

Thus terminated the Dutch government over all New Netherlands, they becoming subject to the English crown, thereby fulfilling the prediction made by the Dutch a few years previously. From this date to the present time, with the exception of a short period, the country was entirely lost to the Dutch. In all the quarrels between the Dutch and Swedes, whose history, jointly and separately, we have traced, during a period of about forty years, no blood was shed; it remained for the English to stain the soil with it. But little progress had thus far been made towards the settlement of the country, which it remained for the English also to accomplish.¹

Sir Robert Carre communicates, in a letter of this date to Colonel Nicholls, an account of his proceeding at New Castle, in its capture from the Dutch, (October 13:) October 23.

"Honourable sir—After a long and troublesome passage,

¹ Reg. Penns. vol. i. p. 37, from A. P. S. MSS. of N. Y. Records.

1664.

Col. Carre's
account to
Col. Nicholls
of his at-
tack, &c. on
fort at New
Castle.
Wounded;
killed; plun-
der. Condi-
tion of fort.
The Indians
hostile.

prolonged by the ignorance of the pilots and the shoalness of the water, we arrived the last day of September, at Delaware, passing by the fort without notice each of the others, the better to satisfy the Swedes, who, notwithstanding the Dutch persuasions to the contrary, were soon our friends. Afterwards I had a parley with the Dutch burghers and governor; the burghers and townsmen, after almost three days' parley, consented to my demands, but the governor and soldiery altogether refused my propositions; whereupon I landed my soldiers, on *Sunday morning following*, and commanded the ships to fall down before the fort, within musket shot, with directions to fire two broadsides apiece upon the fort; then my soldiers to fall on; which done, the soldiers never stopping until they stormed the fort, and so, consequently, to plundering; the seamen, no less given to that sport, were quickly within, and have gotten good store of booty, so that in such a *noise and confusion*, no word of command could be heard for some time; but for as many goods as I could preserve, I still keep entire. The loss on our part was none; the Dutch had ten wounded and three killed. The fort is not tenable, although 14 guns, and without a great charge, which inevitably must be expended, there will be no staying, we not being able to keep it; therefore what I have or can get, shall be laid out upon the strengthening of the fort. Within these two days, Ensign Stock fell sick, so that I could not send him to you, to particularize all things, but on his recovery I will send him to you. If Providence had not so ruled that we had not come in as we did, we had been necessitated to quit the place in less than a month, there being nothing to be had but what must be purchased from other places, with trade of good account, of which, for the present, we have to satisfy our wants. I have already sent into Maryland some negroes which did belong to the late governor, at his plantation above, for beef, pork, corn, and salt, and for some other small conveniences, which this place affordeth not. The cause of my not sending all this time to give notice of our success, was the falling of the Indians from their former civility, they abusing messengers that travel by land, since our arrival here, though no ways incensed by us, but exasperated by some Dutch and their own inclinations, that eighty of them came from the other side, where they inhabit, and so strong they are there, that no Christian yet dare venture to plant on that

side, which belongs to the Duke of York. They stayed here three nights; we used them civilly, they pretending they came to settle, but since are returned without doing any hurt. We beg your endeavours to assist us in the reconciliation of the Indians called *Synekers* (Senecas) at the *Fort Ferrania*, and the *Tuscheroras* (Tuscororas) here, they coming and doing violence both to heathen and Christians, and leave these Indians to be blamed for it, insomuch that within less than six weeks several murders have been committed and done by their people upon the Dutch and Swedes here. Let me beg the favour of you to send Mr. Allinson and Thompson, the one for the edifying of the fort, the other to fix our arms, there being not any but was broke or unfixed. Your honour shall have a further account by the next, until which time, and ever after, I remain your faithful and obliged servant,

ROBERT CARRE.

"Delaware Fort, October 13, 1664."¹

Complaint is made by the West India Company to the States-General, "of the intolerable violences committed against said company by the English nation in New Netherland and other parts, viz. that the ships and armed force sent by the Duke of York from Old England had taken the town of New Amsterdam, tranquilly and quietly possessed by this republic since fifty years, which event took place 27th August last; that they had conquered the whole province of New Netherland, and subjected it to the English dominion, giving it the name of New York," and pray "that these violences should be considered according to their importance," &c. The memorial was referred to the committee on English affairs.²

October 25.

Complaint of Dutch against English, for capture of New Netherland.

After the reduction of the country by Sir Robert Carre, Colonel Nicholls himself was commissioned by the two other commissioners to proceed to the Delaware, "to take special care for the good government of the said place, and to depute such officer or officers therein as he shall think fit, for the management of his majesty's affairs, both civil and military, until his majesty's pleasure be further known."³

November 3.

The name of New Castle is now given to what was before called New Amstel.

Name of New Amstel changed to New Castle.

¹ London Doc. vol. i. p. 204.

² Miller MSS. in possession of N. Y. Hist. Soc.

³ See Commission, in Reg. Penns. vol. i. p. 37, from N. Y. Records and MSS. A. P. S.

1664.

Thus were the English placed completely in possession of all that the Dutch formerly held on the Delaware. We have minutely traced the Dutch and Swedes in their various movements, from their first settlement here to their extermination for ever, (except for a short period,) from the river, and have seen that owing to petty feuds and jealousies between the two nations, but slow progress had been made towards the settlement and improvement of the country, yet all tending to prepare the way to effect the great revolution which has produced a uniformity of language, and customs, and institutions, and rendered these shores the happy abode of so many millions. The principal actors in the past events probably withdrew; D'Hinoyossa, it is said, applied to the English for an office, in which expectation being unsuccessful, he eventually returned to Holland, and entered the Dutch army, where he served in the war between Louis XIV. and the Republic, and was one of the garrison of a fortress which surrendered to the French; after which, it is said, he ended his days in Holland,¹ as did probably many of the early Dutch settlers. The Swedes, as we know, more generally remained behind; the remnants of both nations becoming so blended as to constitute one people, with their successors scarcely at the present day to be traceable. Henceforth the country is governed by governors under the Duke of York.

Governor Nicholls grants a license to Elizabeth Cousterier, November 5. to transport herself and goods to Delaware Bay, there to trade.²

Colonel Nicholls certifies that Captain Carre has received from his majesty's ship, the "Guinea," a flag and sea compass, at Delaware Bay, and that Captain Thomas Morley being employed by him at Delaware Bay, with his ship "William and Nicholas," had received from Captain Hyde, of the "Guinea," two barrels of powder, and twenty iron shot, which were spent at the reduction of the fort at Delaware, and asks credit to be given in the gunner's account.

The commissioners also order the "Guinea," Captain Hyde, to sail directly for Portsmouth, England, with despatches.

¹ London Docs. vol. i. p. 232. O'Call. vol. ii. p. 554.

² N. Y. Records, Breviat.

Powder and
shot, &c. ex-
pended at
Delaware.

1665.

In consideration of the good services of Captain John Carre, in storming and reducing the fort at Delaware, Governor Nicholls grants him "all the lands, houses, and estate, real or personal, which is or shall be found to have been really and truly in possession of, or appertaining to Gerrit Van Sweringen, at the time when said fort was reduced by force to his majesty's obedience, it being sufficiently known that he was then schout, in hostility against his majesty, for which reason all his estate stands confiscated."¹

June 30.
Confiscation
of estates,
and grants
to Carre and
Tom.

The estate of Peter Alricks was at the same time confiscated, for his hostility to his majesty, and granted to William Tom, for his good services at Delaware.²

Governor Nicholls grants license of alienation to Jacob Vis, to sell his estate, consisting of house and garden, at or near New Castle, to any person living within this government.³

July 15.
Licenses to
sell real es-
tate.
August.
Governor
Carteret ar-
rives.

Philip Carteret having been commissioned governor of New Jersey, arrives with a number of planters.

Governor Nicholls, by his license, grants leave to Peter Alricks to trade or traffic with the Indians in and about Whorekill, for skins, peltry, &c., the said Alricks making due entry with the officers at Delaware, of the quantity or quality of such commodities as he shall trade for. Also, with his servant and six horses, to pass from New York to Delaware, and from thence into Maryland, and so to return, "about his occasion."⁴

Nov. 21.
Special pri-
vileges to P.
Alricks.

1666.

A certain piece of land on Christina kill, heretofore in tenure of Joost Rugger, the miller, deceased, was, by the officers at Delaware, who were empowered by Nicholls's commission to dispose of implanted land there for the best advantage of the inhabitants, granted unto Hans Bones; the same is confirmed to him in 1668, he paying to his majesty two bushels of wheat as a quit-rent.⁵ (February 21.)

March 3.
Grant of
land.

Governor Nicholls issues orders to collectors and receivers of customs, and notices the necessity of granting some temporary privileges for encouragement of trade between New

March 30.
Order re-
specting du-
ties on Dela-
ware.

¹ Delaware Records, in Del. Reg. vol. i. p. 175.

² N. Y. Records, Breviat, p. 38.

³ MSS. in Reg. Penns. vol. iv. p. 75.

⁴ Ibid.

⁵ Breviat, p. 38.

1666. York and Delaware, and that the tenths of all sorts of goods, liquors, or peltry, &c., by former practice and order, had been collected and paid in or at the aforesaid port, or in Delaware River; now he orders that (until further orders) no sort of liquors, goods, or peltry, shall be liable to pay *any* custom, either in New York or Delaware River, provided that due entry and certificate be made and given of all such goods transported to or from those places.

Order re-
specting pa-
tents. A general order was issued at New York, by the Court of Assizes, that all persons who held *old* patents should bring them in to be *renewed*, and those who had *none* should be supplied, by a certain time; and more especially those who had been under the Dutch, and are now under his majesty, the inhabitants in and about Delaware being under this government are therein concerned. This was renewed in July 11. 1669, under penalty.¹

1667.

January 11. Nicholls, "in consideration of the good services of Captain John Carre, in storming and reducing Fort Delaware, grants to him a piece or parcel of meadow, valley, or marsh ground, on the Delaware, near the fort, about 150 acres," having lately been in tenure of A. D'Hinoyossa, then governor, it being sufficiently well known that he was in hostility against his majesty, for which reason all his estate stands confiscated. Quit-rent to his majesty, 1½ bushels wheat.

Several grants. A certain island in the Delaware, called Swarton Natton, containing about 300 acres, bounded on north by Christina kill, and on the west by a little creek, is granted to Thomas Woolaston, James Crawford, Herman Otto, and Gerard Otto; quit-rent, 3 bushels wheat. This island "having been heretofore granted by A. D'Hinoyossa, late governor there, to some persons who have since appeared in hostility, whereby it is forfeited, and remained in his majesty's disposal."²

May. Governor Nicholls is succeeded by Colonel FRANCIS LOVE-
Gov. Love- LACE, whose administration now commences.
lace.

July 31. The war between the English and Dutch was concluded by the treaty of Breda, by which either party was to retain all property in their possession prior to 10th May last, but any thing taken after the 10th May shall be restored, in the same

¹ Breviat, p. 39.² Reg. Penns. vol. iv. p. 74.

condition as they are when the knowledge of the peace reaches the places. 1667.

This year was erected the Swedish church at Crane Hook, about one and a half miles from Fort Christina, on the south side of the creek, in which both the Dutch and Swedes assembled for worship. The church early built in the fort had served them for about twelve years. The church now erected was a wooden one; no vestige of it or the grave-yard at present remains; an orchard now occupies their place. For several years, the Rev. Mr. Lock officiated as minister of this and the church at Tinnicum.¹

Church at
Crane Hook
built.

1668.

The governor and council gave the following directions for May 1. the better government of Delaware:

“It is necessary, to hold up the name and countenance, of a garrison, with 20 men and one commissioned officer, Garrison.

“That the commissioned officers shall provide all sorts of provisions for the whole garrison, at the rate of 5*d.* per day, viz. wholesome bread, beer, pork, peas, or beef, that no just complaint be made of either. That the soldiers, (so far as conveniently may be,) be lodged in the fort, and keep the stockades up in defence. That the civil government in the respective plantations be continued till further orders. Provisions.

“That to prevent all abuses or oppositions in civil matters, so often as complaint is made, the commissioned officer, Captain Carre, shall call the schout, with Hans Block, Israel Helm, Peter Rambo, Peter Cock, Peter Alricks, or any two of them, as counsellors, to advise, hear, and determine, by the major vote, what is just, equitable, and necessary in the case and cases in question. A court for civil affairs.

“That the same persons also, or any two or more of them, be called to advise and direct what is best to be done in all cases of difficulty which may arise from the Indians, who must obey and attend their summons upon such occasion.

“That two-thirds at least of the soldiers remain in and about New Castle at all hours. Soldiers to be always in New Castle.

“That the fines or premunires and light offences be executed with moderation, though it is also necessary that ill men be punished in an exemplary manner. Fines, &c. to be moderate.

“That the commissioned officer, Captain Carre, in the de- Casting vote.

¹ Ferris, p. 145—147. Clay.

1668. termination of the chief civil affairs, whereunto the temporary before-mentioned counsellors are ordained, shall have a casting voice, where votes are equal.
- Oaths. "That the new appointed counsellors are to take the oaths to his royal highness.
- English laws to govern. To be read. "That the laws of the government established by his royal highness, be showed and frequently communicated to the said counsellors, and all others, to the end that being therewith acquainted, the practice of them also in convenient time be established, which conduceth to the public welfare and common justice.
- Treatment of Indians. "That no offensive war be made against any Indians, before you receive directions from the governor for your so doing.
- Appeal to New York. "That in all matters of difficulty and importance, you must have recourse, by way of appeal, to the governor and council at New York."¹ (April 21.)
- June 18. Indians desire prohibition of sale of rum. An official letter to Carre alludes to a former one relating to the Indians who murdered the servants of Mr. Tom and Peter Alricks. They are informed by one Rambo, that the Indians in those parts desire there should be an absolute prohibition on the whole river, of selling strong liquors to the Indians; Carre is therefore to unite with those in the management of civil affairs, and with their advice give the necessary orders for the good government of Christians and Indians, and what they do shall be confirmed.²
- July 17. Confiscation of property. A certificate states, that at the taking of fort and town of Delaware from the Dutch, and reducing it to his majesty, *all* the goods and servants taken or seized in said town and fort, belonging to city of Amsterdam, or their officers, were *confiscated and made free plunder*, and so disposed of accordingly; and there being several negroes taken away from Peter Alricks, who fell into the hands of Ensign Arthur Stock, he afterwards freely restored and bestowed 11 negroes on said Alricks as a gift, which was allowed and approved of.³
- July 18. Grants of land. Grants of land made to John Hendricks, Niels Nielson, jun., Hendrick Nielson, Mathys Nielson, and Niels Nielson, March 5, 1663, and 15th June, 1664, are confirmed to them at New Castle, by Governor Lovelace; each to have a plantation, situate in the Verdrietige Hoeck, extending to Stone

¹ Smith's N. J. p. 52. Reg. Penns. vol. i. p. 37. 38.² Breviat, N. Y. Records, p. 38.³ Ibid.

kill, acknowledgment, 5 bushels of wheat.¹ Also a confirmation of a grant to Captain John Carre, of 50 and 100 acres, "land and bowery," on first corner above the fort. 1668.

A certificate that William Tom came over with the certifier in his majesty's service, and had ever since been in office, and for two years last past commissary at Delaware; and having behaved well, asks for a discharge, which was granted. August 27. Wm. Tom asks a discharge.

An order to Captain John Carre, "reciting that an agreement had been made with Peter Alricks about Mattinicum, alias Carr's Island, in Delaware, and all the stock, goods, and other materials thereon, heretofore in your care and custody, therefore requiring immediately to make a surrender of said island to Alricks or his assigns, and return a true inventory of all goods, &c. which were delivered you there by Sir Robert Carre."² Dec. 15. Carr's or Mattinicum island.

1669.

Governor Lovelace having last year granted to the Lutherans, in New York, liberty to send to Europe for a minister, they accordingly sent, and on 20th February, 1669, Rev. Mr. Jacobus Fabricius arrived there. The governor issued his proclamation, declaring that said Fabricius has leave to exercise the office of pastor, and that he be protected in it as long as he and the people behave orderly, and as long as his royal highness shall not order otherwise. In April, he had a pass to go to Albany; while there he behaves ill, opposes the magistrates, and imposes a fine of 1000 rix-dollars on the person of Helmar Otten, for complying with the magistrates in the consummation of a marriage with Adriantze Arentz, his wife, according to the law of the land. On this offence, Governor Lovelace orders him to be suspended from his functions in Albany, until his friends intercede, and the magistrates there are willing he should be restored; but he was allowed to preach in New York.³ March 2. Lutherans authorized to send for a minister. Fabricius arrives. Goes to Albany; behaves ill; is suspended. April.

Governor Lovelace confirms a license of alienation granted by the late Governor Nicholls unto William Beekman, to sell a house and lot at Delaware. April 2.

Another to Jurien Jans, for land on a neck above New April 13.

¹ N. Y. Records, in Breviat, p. 38.

² Breviat. This island is near Burlington, and not Tinnicum, before mentioned.

³ Albany Records. Miller's MSS. in N. Y. Hist. Soc. Library.

1669. Castle, containing 46 acres; quit-rent, one bushel of wheat.

Also, several others, beyond Christina kill, near Horse Neck, called Paerd Hook, or Haymakers' Hook, in New Castle, near Upland; to Bernard Eken, a house and lot in New Castle, bounded west with church-yard, and north with the mart, Crane Hook.¹

Governor Lovelace issues an order to those on Delaware, as well as elsewhere, who held the lands by patent or ground-brief of Dutch tenure, and those who have none, with all convenient speed, to apply with or for them, or be liable to penalty by law. There was an order to this effect made by the court of general assizes in 1666.²

William Tom is appointed collector of quit-rents, which were imposed on all persons on Delaware who have taken out patents, and hold the lands under his majesty's ordinance, but who, neglecting the duty, suppose they are exempt, which would be very unjust and unreasonable; and from all others who have no patents, and hold lands there, so much as will at least be proportionable with the rest, for taking out of whose patents there is notice given in another ordinance.³

Governor Lovelace, at the request of William Tom, grants that the Finns or others removing at or about Delaware, may have an enlargement of their bounds, for which they desire to take up some lands at Apoquinimy, lying and being within the government, for the good and welfare of the inhabitants, and encouragement to them, on condition that in some convenient time, a draft be taken of said land, and a return be made to him, together with its extent, whereon those who settle shall have patents for their confirmation.⁴

Permission was also, on request of William Tom, granted to "some families from Maryland, to come and settle upon the kill below Apoquinimy, within the government, to the end the said place may be inhabited and *manured*, it tending likewise to the increase of the inhabitants."⁵

An order is issued, permitting William Tom to take up, kill, or mark *wild hogs*, in the woods near his land.⁶

The following order was directed by the governor to the

¹ Breviat, p. 39.

² Albany Records; Orders, &c., Minutes of Council, vol. ii. p. 234.

³ Ibid. p. 268, 269.

⁴ Ibid. p. 267.

⁵ Ibid.

⁶ Breviat, p. 39.

officers on Delaware, for the apprehension of a rebellious Swede, who created much excitement: 1669.

“Whereas I am given to understand that there is a certain Swede at Delaware, who gives himself out to be son of Con-ingsmark, heretofore one of the king of Sweden’s generals, and goes up and down from one place to another, frequently raising speeches, very seditious and false, tending to the disturbance of his majesty’s peace and the laws of the government in such cases provided, to whom is associated one Henry Coleman, one of the Finns, and an inhabitant at Delaware, who hath left his habitation, cattle, and corn, without any care taken for them, to run after the other person; and it being suspected that said Coleman, being well versed in the Indian languages, amongst whom both he and the other keep, may watch some opportunity to do mischief to his neighbours, by killing their cattle, if not worse; whereupon we have already, according to your duty, set forth your warrant to apprehend him, but he cannot yet be met withal. These presents are to order, empower, and appoint you to set forth a proclamation in my name, that if the said Henry Coleman do not come in to you, and surrender himself up to answer to what shall be objected against him, within the space of fifteen days after divulging the same, that then you cause all the estate belonging to him within this government, to be seized upon and secured to his majesty’s use, of which you are to send me an account with the first opportunity. Given under my hand and seal, at Fort James, in New York, 2d August, 1669.¹

Order of governor to arrest Henry Coleman, connected with “Long Finn,” or confiscate his property.

One Outhouse’s goods were attached in New York, but permitted to be transported to Delaware, to be deposited till debt be paid; the court, contrary to governor’s orders, release them, and give longer time for payment. Governor requires court to secure all charges, &c. out of debtor’s estate; if they cannot, *the court themselves are to make it good.*² Aug. 13 & 16.

Letters were received from Captain Carre by the council, informing “that an insurrection was very much feared on Delaware; that the chief was in hold, and that several depositions had been taken:” the following order was passed by the council: Sept. 24.

“That a letter of thanks be sent to the officers there for their great care. That the “Long Finn,” in hold and in irons,

Insurrection feared.

¹ Albany Records; Orders, &c. vol. ii. p. 266.

² Breviat, p. 59.

1669. be kept still in safe custody, in like manner as he is, until the governor, or some person commissioned from him, shall go over to examine into, and try the matter of fact, which is of

Chief taken, so heinous and high a nature.

and in prison. Thanks to the officers.

“That all persons who have had a hand in the plot be bound over and enjoined to give security to answer their misdemeanours, and account be taken of their estates in the mean time.”¹

Sept. 25.

The next day, Governor Lovelace writes to Captain Carre, the schout, and the commissaries at New Castle :

Letter of Governor Lovelace respecting Long Finn, &c.

“That he had received their letters and packets of 8th September, in which were enclosed three other copies, two of them subscribed by *Coningsmark*, the other by Armgart Printz ; as also affidavits of several persons about the late insurrection occasioned by the *long Swede*, their prime incendiary, on which the governor and council determine, first, to applaud “their prudence and careful management, in circumventing and securing the prime instigator of this commotion, together with the chiefest of his accomplices ; likewise, for your future animation, that so good and seasonable service both to his royal highness and the security and tranquillity of the country may not be buried in oblivion, I cannot but take notice of it, and do return thanks, withal assuring you to represent this action to his royal highness with such characteristics as are justly due to so worthy an undertaking.

“Next, I heartily wish myself, with you, to bring that grand impostor, together with the chiefs of his pack, to condign punishment, but the hourly expectation I am in of the arrival of some ships from England, by which I look for several instructions, which will require present despatch, the whole frame of government standing at this time still ; neither mayor nor aldermen elected ; the grand assizes likely to be prorogued. * * * So that what I do recommend to you now must rather be with respect to stopping of the contagion, that it grow not further, than by any way of amputating or cutting off any member, to make the cure more perfect. I would therefore have you to continue the long Swede in custody and irons, until he can have his trial, which shall be as speedily as my affairs can permit, with my presence, or some of the council sufficiently authorized to hear and determine that affair. For those of the first magnitude

¹ Albany Records ; Council Minutes, vol. iii. p. 15.

concerned with him, you may either secure them by imprisonment, or by taking such caution for them to answer what shall be alleged and proved against them. For the rest of the poor deluded sort, I think the advice of their own countrymen is not to be despised, who, knowing their temper, could prescribe a method for keeping them in order, which is severity, and laying such taxes on them as may not give them liberty to entertain any other thoughts but how to discharge them.

1669.

“I thought that *Jeuffro Papegay, Armgart Printz* had been so discreet as not to have meddled in so unworthy a design; for though what she hath committed was not of any dangerous consequence, yet it was a demonstration of her inclination and temper to advance a strange power, and a manifestation of her high ingratitude for all those indulgences and favours she hath received from those in authority over her.

“I perceive the *little domine*¹ hath played the trumpeter to this disorder. I refer the quality of his punishment to your discretion.

“I have received a petition from divers inhabitants of Delaware, in behalf of those that joined with the Long Finn; it came enclosed in Mr. Peter Cousturier’s letter, but I shall take little notice of it, since it came not by your hands; however, if they shall make any further publication to you about it, and you send it to me, with your advice thereupon, I shall do therein what shall be thought most fitting and convenient. I have no more, but to recommend the continuance of your care of this and the rest of your public affairs in your parts, to your prudence and discretion, which is very much relied upon by government. Your affectionate and loving friend.”²

Petition in favour of Long Finn’s associates; rejected for etiquette’s sake.

Governor Lovelace confirms a patent granted by Stuyvesant to Peter Cock, for an island in the Delaware, lying and being in a kill which runs into the Schuylkill, and by tides into the main river, containing, by estimate, about 25 morgens, or 50 acres of improved land. John Penn and Thomas Penn grant a deed for this in 1734, the original of which is in secretary’s office at Harrisburg.

October 11.

In council, the subject of the insurrection on Delaware by

October 28.

¹ Probably Fabricius.

² Albany Records, Orders, &c. vol. ii. p. 271.

1669. the Long Finn, and a rape committed by an Indian, were taken up. The following is their minute :

Sentence and punishment of the Long Finn, for rebellion.

“ Upon serious and due consideration had of the insurrection begun by the Long Finn at Delaware, who gave himself out to be the son of Coningsmark, a Swedish general, and the dangerous consequences thereof, it is adjudged that the said Long Finn deserves to die for the same ; yet in regard that many others being concerned with him in the insurrection, might be involved in the same premunire, if the rigour of the law should be extended, and amongst these divers simple and ignorant people, it is thought fit and ordered, that the said Long Finn be publicly and severely whipped, and stigmatized or branded on the face with the letter R, with an inscription written in great letters, and put upon his breast, that he received this punishment for attempting rebellion ; after which, that he be secured until he can be sent and sold to the Barbadoes, or some other of those remote plantations. That the chiefest of his accomplices, and those concerned with him, must do and forfeit to his majesty half of their goods and chattels, and that a small mulct or fine be imposed on the rest that were drawn in and followed him, the which shall be left to the discretion of the commissioners, who shall be appointed to make inquiry into and examine the same.

Punishment of Indian for rape.

“ That the Indian who committed the rape on the body of the Christian woman, be put to death, (if he can be found,) for the foul fact, according to the sentence already passed upon him, and that the sachems under whom he is, be sent to, that they deliver him up, that justice may be executed upon him accordingly.”¹

December 2.

Governor Lovelace being unable to proceed to Delaware to try the persons engaged in the rebellion, issues his commission to certain persons there, to attend to the trial, as follows :

Commission of governor to certain persons, to try and execute sentences on those concerned in the insurrection.

“ Whereas there has lately happened an insurrection at Delaware, by some evil-minded persons, enemies to his majesty and the peace of this government, which might have proved of dangerous consequence, had not the ringleaders been surprised, and so prevented of their wicked designs, by the vigilance and care of the officers there ; all which having been represented to me, I have, with the advice of my council, made some resolutions thereon, which are speedily to be put

¹ Albany Records, Council Minutes, vol. iii. p. 15.

in execution. I have thought fit, &c., to nominate and appoint * * * to be commissioners, to give order and take care that the act of council be put in execution, according as you, or any five of you, of which Matthias Nicholls to be one and president, power to call for any such person or persons as are now in hold on this account, and to pronounce sentence against them, according to directions herewith, and also to summon all others suspected to appear before you, and lay such fines as you may think fit for the use of his majesty. You may administer oaths, commit the refractory to prison, or release as you see cause, &c."¹ 1669.

This year, it is believed, or not long after, a building was erected, which was afterwards fitted up as the first Swedish church, at Wiccaco, on the spot or near where the present one now stands. It had loop-holes, that it might be used as a place of defence against Indians or other enemies. The precise time, however, does not appear to be ascertained. See 1677.² First Swedish church at Wiccaco built.

1670.

The council return thanks to the magistrates on Delaware for their conduct in the case of William Douglass, and consider the order of the special court at New Castle, that there be an officer appointed among them to keep the peace, &c. February 4.

Ordered, in regard to Douglass, who hath behaved himself so ill at Whorekill, he shall be continued in prison until further orders, but that his irons be taken off; however, if he can give security not to return to Whorekill, &c., he may be discharged.³ Douglass to remain in prison, or be transported.

Two orders issued respecting the Long Finn;⁴ one to Mr. Cousseau, to receive him, and the other to Captain Manning, the sheriff, to deliver him, according to sentence. Orders respecting Long Finn.

The Long Finn was put on board Mr. Cousseau's ship, to be transported to, and sold at Barbadoes, according to the sentence of the court at Delaware, and a warrant issued to the captain of the ship, dated at Fort James, to carry him to Barbadoes, and sell him there as servants are sold, and to return the proceeds to New York. February 5.
Long Finn sailed for Barbadoes.

The governor informs Captain Carre that Douglass, who has been so troublesome on Delaware, has been sent off to March 8.

¹ Albany Records; Court of Assizes, vol. ii. p. 93.

² Clay, p. 64.

³ Council Minutes, Albany, vol. iii. p. 17

⁴ Ibid. p. 16.

1670. New England, with orders not to return to New York, or amongst those on Delaware; and also sends Carre a commission to suppress any trouble he may cause.¹

March 10. Schout and commissaries commissioned for Whorekill, to keep good order, try all differences under £10, among themselves, viz. Hermans Fredrickson, schout, and Sanders Watson, Oele Walgast, and William Claeson, commissaries.²

March 25. The governor renews the custom and duty of 10 per cent. on all European goods imported into Whorekill, on all furs and peltry exported, and appoints Martin Krieger collector of it. Goods not paying to be confiscated; returns to be made to governor.³

The following is the order :

“Whereas I am given to understand that all European goods imported at the Whorekill, in Delaware Bay, did heretofore pay custom at the rate of £10 per cent., and all furs and peltry exported from thence at the same rate, which turned to some advantage towards the support of government, upon mature advice and consideration had thereof, I have thought fit to renew the former custom, and do therefore hereby order and appoint Captain Martin Krieger, who is a person well versed in the trade of those parts, and very well known there both to the Christians and Indians, to be receiver and collector of the customs at the Whorekill, where, by himself or his deputy, he is to receive 10 per cent. of all European goods imported there, whether coming from this place, New Castle in Delaware, or any other part, and 10 per cent. also for all furs or peltry exported from thence, according to former custom and usage on that behalf; and all persons whatsoever trading thither, or from thence to any other place, are to take notice thereof, and to obey this my commission, under the penalty of confiscation of their goods, if they shall presume to do otherwise, the said Captain Krieger standing obliged to be answerable here, for all such customs as shall be received by himself or deputy there, of which he is to render unto me a due and exact account.”⁴

The governor makes the following decision respecting Fabricius :

April 21. In consequence of several complaints last year made to the governor, “by the magistrates of Albany, against Magister

¹ Albany Records; Court of Assizes, vol. ii. p. 125.

² Ibid. vol. xvii.

³ Breviat, p. 39.

⁴ Smith's Hist. N. J. p. 55. Reg. Penns. vol. i. p. 76.

Jacobus Fabricius, pastor of the Augustan Confession, in that he intrenched upon the civil authority there, I then thought good to suspend his ministerial functions at Albany, until, either by letters, or mediation of friends, he should be reconciled to the magistrates there, and I from them should receive a testimony of his reconciliation, the which he hath in no measure performed, and there being now a difference depending before me between the said magister and burghers of this city, for the reasons aforesaid, and for some other considerations, I have thought for the present to continue the suspension of said magister's ministerial functions at Albany; and think it not convenient, therefore to order that he go up thither until I go myself, which I intend this summer, when all differences between said magister and the magistrates or others there, may better be composed, or the occasion removed, by my presence. In the mean time, the said magister, Jacobus Fabricius, hath liberty to exercise his functions here in these parts as heretofore, without any disturbance, provided he likewise give no trouble or molestation to others differing in judgment from him."¹

1670.
Rev. Fabricius in trouble at Albany. Is suspended in his functions there, but at liberty in New York to exercise them.

Governor writes to Carre, "that he grants to Jacobus Fabricius, pastor of the Lutheran Confession, commonly called the Augustan, who by the duke's license hath a congregation here, a pass to him and his wife to go to New Castle, or any place on Delaware, and requests him to show him all civil respect when he comes there, and take care that he receive no affront; and presumes he will so comport himself with that civility and moderation as to give no just occasion of offence to others." He also recommends to Carre a suit which the magister will have there in behalf of his wife, who was a widow of Sneaf Dircks Van Bergh, of New York, for a house and lot at New Castle.²

April 23.

He and his wife have a pass to go to Delaware.

"There are very few inhabitants, and they mostly Swedes, Dutch, and Finns; the people are settled all along the west side of the Delaware, sixty miles above New Castle, which is the principal town. The land is good for all sorts of English grain, and wants nothing but people to populate it, being capable of entertaining many hundred families."³

Present state of the country.

Niel Nielson and others complain to the governor that

¹ Albany Records; Court of Assize, vol. ii. p. 153.

² Ibid. p. 156. See Paper-Book, p. 39.

³ Hubbard, in Mass. Hist. Soc. Coll. vol. vi. p. 675, 2d series.

1670. William Tom, through misrepresentation, obtained a patent on Trinity Hook, previously patented to them, and has, by order of the court, forbidden them to cut hay or feed the marsh. The governor decides they "shall enjoy what is granted on their patent, any patent, grant, or order of court to William Tom notwithstanding."¹

May 26.

Governor decides against the court.

Governor Lovelace, in a letter to Captain Carre, says, "I cannot but express my sadness for the misfortune these poor people have suffered under, (alluding to a 'new' murder committed,) so I cannot acquit the magistrates of New Castle, of too much remissness and security in relation to the Indians, particularly in not avenging the last murder, committed on *Mr. Tom's servant*, the commission of which may be a great inducement to the Indians to perpetrate this villany, which they have lately acted. Make discovery of the guilty; strengthen the garrison by repairs of decayed works, and likewise men; secure from surprise by watches; summon your command, and consult with them the best mode of discovering the murderers, and demand or force the Indians to deliver up and punish."²

September 3.

Governor censures magistrates in case of murders.

Governor and council abolish customs lately laid at Whorekill, at request of inhabitants, "provided they do not sell too large quantities of liquors to the Indians, nor prejudice their neighbours at New Castle, upon which they are to have their dependence."³

November 1.

Customs abolished.

Peter Gronendike is allowed to trade with Indians at Whorekill.

The governor recommends to Captain Carre, as it is winter, to disband some of his men, as there is no danger at this season from the Indians; diminish expenses, and enlist again in the spring. To let governor know if he requires any force from New York.³

Nov. 26.

Soldiers disbanded during winter.

1671.

James Mills is commissioned by Governor Lovelace, "as surveyor of land at Whorekill and parts adjacent, he behaving according to the custom and practice of surveyors in these his royal highness's territories."⁴

January 19.

¹ Albany Records; Breviat, p. 39.

² Albany Records; Council Minutes, p. 232. New Castle Records, lib. A. p. 63. Breviat.

³ N. Y. Records; Breviat, p. 39.

⁴ Breviat, p. 40.

Governor grants "a license to William Mills, to purchase land south of the town, at the Whorekill."¹ 1671.

The governor informs the inhabitants of Delaware that the affair with the Indians is respited till Captain Carr's arrival.² March 6.

The governor instructs Martin Krygier on various matters, as follows: March 27.

"Instructions from the governor to Martin Krygier, being bound to Whorekill: M. Krygier's instructions.

"1st. To bring him an account of the increase or decrease of the inhabitants there, and whether any new families are resolved to settle there under protection of his royal highness.

"2d. To give him an account of the civil officers, and whether the schout is to be altered this next ensuing year, and that the person to succeed be recommended to me, whom I will authorize for two years.

"3d. To inquire concerning those Indians that murdered John De Caper's people, and to let me know under what jurisdiction they live.

"4th. To bring the mill-stones, with the appurtenances, with you, unless the inhabitants have need of them, and agree with you for them in present pay; this to be proffered to Mr. Mills first.

"5th. To remove the customs, and restore them to their ancient liberty."³

A pass is granted by Governor Lovelace, at New York, for the ketch "Prudence," to and from New Castle.⁴ April 14.
A pass.

At a meeting of the council in New York, the murders committed by Indians, and the selling of strong drinks to them, are considered. They say, "the murderers are known, but for the present it is not thought convenient to prosecute to the utmost." April 25.
Murders.
Selling liquors.

Captain Carr "relates the desire of many families to come and settle below New Castle, at Apoquinimy and Bombay Hook; to be considered of. The most eminent amongst them are Mr. Jones, Mr. Wharton, Mr. Whale. A letter is to be written to some of them about the settlement."⁵ Many families propose to settle at Apoquinimy.

The officers on Delaware are ordered to bring a man from New Castle to New York, for a debt to one Peter Jego.⁶ May 5.

¹ Breviat, p. 40.

² Ibid.

³ Court of Assizes, vol. ii. p. 135, 325.

⁴ Albany Records; Court of Assizes, vol. ii. p. 332.

⁵ Council Minutes, vol. iii. p. 57.

⁶ Court of Assizes, vol. ii. p. 335.

1671. Governor Lovelace confirms to Swen Gonderson, Swen Swenson, Oele Swenson, and Andrew Swenson, a patent granted by the Dutch governor, dated May 5, 1664, for "a certain piece of land lying above Moyamensing kill, and so stretching upwards in breadth 400 rods, and in length into the woods, 600 rods, amounting in all to 800 acres, or 400 morgen; quit-rent to his majesty, 8 bushels wheat."¹ (May 3, 1669.)

May 13.
Grants confirmed to the Swensons.

These dimensions are about two miles by one and a half. It is not, we believe, precisely known, which was Moyamensing kill; some suppose it the present Hay Creek. Penn made an exchange with these proprietors, by lands on Schuylkill, finding the above to interfere with his plans in the southern part of the city.

May 28.
Purchase of Whorekill by Dutch to be recorded. Loss of J. De Caper's sloop. Governor of Maryland to be written to about it.

The council have before them "Captain Krygier's business about the Whorekill," and direct that the "purchase of the Whorekill by the Dutch be recorded," (where?) and various other matters; among which is the shipwreck of Captain Jan de Caper's sloop, and the loss of her crew, who were at first supposed to have been destroyed by the Indians, which seems to have excited much sympathy, as an examination had been made by Captain Krygier, and three papers received from Captain Carr in relation to it, from which they say, "in regard of the uncertainty of the manner of that disaster, and where certainly it fell, whether in his royal highness's dominions or in Maryland, it is ordered, that a letter be sent to the governor of Maryland, to know what their opinion is hereupon, but for some time to suspend the sending it, some persons being expected from thence suddenly, who may give further light therein. The matters from Whorekill are well approved of."²

June 1.

Letter to governor of Maryland. An affecting appeal for his aid in discovering the children lost from the sloop.

The following is the letter written to governor of Maryland:

The governor first congratulates him on his safe arrival in Maryland; then asks his interposition to endeavour to hear of and recover the children of Mrs. Courtree and John De Caper, the first having one, and the latter three sons, who have been in vain sought for from Delaware. "All the light we can discover as yet is, that in January, (on information,) one Henry De Baker, alias Trowstat, repaired to Ferquakeri,

¹ Recorded August 31, 1741, at Upland. Also, Phil. Book A. vol. ix. p. 363.

² Albany Records; Council Minutes, vol. iii. p. 60, 61.

an island on the sea-coast, on the confines, but could find little. In February, on fresh intelligence, he made another journey thither, accompanied with two others, viz. John Bowyer and Oloff Swans, a Swede, where, (after great difficulty,) they arriving at the same place, found at last the boat belonging to the sloop, with two oars in it, and a chest, but saw no human creatures, either civil or savage, and returned with this relation; since which a fresh report is arrived, that some of the company was murdered, and some of the youths preserved alive, it being customary to those natives to treat youth with more tenderness. Thus far, we have traced the sad catastrophe of the sloop; it now remains for you to proceed to a full discovery what has become of the surviving children, whose parents not only with tears supplicate your generous assistance, but will likewise, with all demonstrations of gratitude, compensate expenses."¹

The council order that the persons of the Lutheran profession, who consented or subscribed to the payment of the church house, (at New York?) pay their proportion according to agreement, and likewise pay to the pastor, Fabricius, the portion of his salary to the time of the late public disagreement.²

Certain propositions are made by Delaware to the governor. They say, "that the town of New Castle, being the strength of the river, and only capable to defend itself against the sudden violence and incursion of the Indians," they think they ought to be encouraged, and therefore ask,

"1st. For a block-house, to be erected in some convenient place of the town, where constant watch may be kept, (now the fort is fallen to ruin and decay,) for common defence, which will not cost much, and may be at the expense of the inhabitants of town and county." To this the governor assents.

"2d. That no sloop or vessel from New Castle, or any other place, go up the river above the town, to trade, as it will ruin New Castle."

3d. They assign as a reason for the 2d, that "those that go up receive ready payment in peltry or corn for the liquor which they sell by retail, and the inhabitants cannot collect their debts." The governor requires a former order to be enforced.

¹ Albany Records; Court of Assizes, vol. ii. p. 355.

² Ibid.

1671.

“4th. To prohibit distillation from corn, which consumes an immense quantity of grain, &c.” Governor orders that no person shall distil without license, and pay one guilder per can, which is to go to repairing the new block-house, fort, or other public works.

Number of
tappers of
liquor to be
fixed.

“5th. To ascertain the number of victuallers or tappers of strong drink; *i. e.* three only for the town, and some few up the river.

Constables
to be ap-
pointed.
King's arms
to be set up
in courts.

“6th. That constables be appointed to keep the peace; have staves with king's arms upon them.

“7th. King's arms to be set up in courts of judicature, which, and the staves, they will pay the expenses of.

To these last three the governor assents.

Old grants
confirmed.
Terms of
new ones.

“8th. That grants of plantations made by officers be confirmed.” The governor allows all grants heretofore made by officers at Delaware; those now presented by Carr and Wharton to have patents on same terms as the rest of Delaware; each planter obliged to settle in convenient time, and maintain also a house and lot in town or towns to be erected for mutual defence. He who hereafter desires to take up land, to make it known to the governor, who, if he see cause, will grant order for survey; officers to encourage applications.

Sundry
charges to be
reimbursed
by governor.

“9th. That several orders passed at and about the time of trial of the Long Finn, as well about public charges as the Whorekills having officers subordinate to those of New Castle; as also for clearing highways, maintaining fences, &c., for well government of that place be reimbursed by your honour's approbation.” The governor decides that these orders, &c. shall stand good, and duplicates returned.

Road be-
tween Dela-
ware and
Maryland to
be opened.

“10th. As neighbours of Maryland have offered to clear half the way between Mr. Augustan Heermans's plantation and town of New Castle, order those of Delaware to clear the other half, as it will be a great benefit to travelling and commerce.

Corn mea-
surer. In-
spector of
beef and
pork.

“11th. They ask for appointment of a corn measurer, and inspector also of beef and pork.” To both of these the governor agrees.

Mill on Car-
coon's Hook.

“12th. That there being a mill, or most, if not all the appurtenances thereto belonging, upon Delaware River, at the Carcoon's Hook, which heretofore appertained to the public, and now is endeavoured to be engrossed by some particular persons for private uses, may be taken into his royal high-

ness's hands, by which some benefit will accrue, and being kept in good repair, will be of public benefit." On this the governor orders for the mill-stones in the mud not used, the mill to be let out to best advantage, profit to go to the public; the mill-stones to be taken up and preserved. 1671.

The governor further leaves to the discretion of the officers the selling of liquor to the Indians; orders the materials in the fort to be taken care of, or disposed of towards erecting the new fort or block-house; and lastly, that the tenure of land at Delaware be held in free and common soccage, as his majesty's patent holds them, according to manor of East Greenwich, only this province to pay quit-rent, as acknowledged to his royal highness.¹

A general order against distilling without license, on the Delaware, distillers giving their names to the officers at New Castle, and paying one guilder per can in seawan.

Grants of land at Whorekill to be confirmed, as for other lands, upon proviso of settling the land and a house, in an appointed town near them.²

Walter Wharton is appointed by Governor Lovelace surveyor-general on the west side of Delaware; any previous appointments are revoked.³

In council, the business of granting patents on Delaware was taken up. Captain Carr declares that Governor Nicholls gave the officers orders to make grants of land to those who would plant there, which being transmitted to the governor, he was pleased to give patents to them. An order also made relating to the grant to Mr. Mills, which is to extend only to Whorekill lands, though parts adjacent, on south side of the Whorekills, are mentioned.⁴

The difference between Jacobus Fabricius, pastor, and the Lutheran Confession, appears to be irremediable, as they desire "that they may have nothing further to do with him, nor that he may any more molest them, and that a person be appointed to settle accounts." A commission is appointed.⁵

Complaints are again made to the governor by divers of the Lutheran and Augustan church, (in New York,) against Magister Jacobus Fabricius, the pastor, wherein they charge

Selling liquor to Indians.
Materials in the fort to be sold.
Tenure of land on Delaware.

June 24.
Distilling liquors.

Grants at Whorekill confirmed.

June 27.
W. Wharton surveyor-general.

July 1.
Grants and patents for land.

July 6.
J. Fabricius again.

July 9.
Further complaints against Fabricius.

¹ Albany Records; Court of Assizes, vol. ii. p. 381; vol. iii. p. 63.

² Council Minutes, vol. iii. p. 63.

³ Albany Records; Court of Assizes, vol. ii. p. 378.

⁴ General Entries, vol. iii. p. 64.

⁵ Albany Records; Court of Assizes, vol. ii. p. 378.

1671. "him with several matters unbefitting one of his profession, and having advised with council, and hereupon called to me some of the court of aldermen, and other grave and sober persons for the hearing, &c. &c., neither party being ready, it is postponed." On the 5th, an alderman and two others had been appointed to examine and settle the differences in that church.¹

July 21. A pass is granted to Mr. James Stavely, to sail from New York to Delaware, in the following words, and shows the form of such passes:

A pass for
a vessel from
New York to
Delaware. "Permit and suffer Mr. James Stavely, merchant, to pass from this port with the ketch Elizabeth, whereof Samuel Ambrose is master, to New Castle, in Delaware River, and to return again with her loading, without any manner of let, hinderance, or molestation whatsoever. Given under my hand, at Fort James, in New York, this 11th day of July, 23d of his majesty's reign, 1671. FRANCIS LOVELACE.

"To the officers of the customs, or whom else it may concern."²

August 21. It appears that the Rev. Mr. Fabricius, becoming at length tired of his situation, petitions the governor "for liberty to give his congregation a valedictory sermon, and to instal the new-come minister, according to the custom used by those of their religion," which is approved of.

J. Fabricius
prepares to
preach his
valedictory
sermon.

It is not stated, excepting in the affair at Albany, what the particular cause of offence against the "magister" was; it does not appear that any immorality was urged against him; but from the fact being stated about this time, "of several charges" being made "against a minister," (not named,) "for not baptizing several children on application," which is used as a reason for withholding payment of his salary, and for which their goods were seized," and supposing that he may be the minister alluded to, it is probable he was very rigid, and perhaps tyrannical. We shall hereafter find him in another character, in Pennsylvania.³

Sept. 30. Governor Lovelace writes to governor of New Jersey, telling him that the murder of the two Christians, (Dutchmen,) was by two Indians, confessedly known, residing at Suscunk, four miles east of Matiniconck Island, and appertaining to his jurisdiction. Refers to particulars by the bearer.⁴

Murderers
in Jersey ju-
risdiction.

¹ General Entries, vol. iv. pp. 15—17.

³ Albany Records; General Entries, vol. iv. p. 19.

² Ibid. p. 17.

⁴ Ibid. p. 35.

The council at New York resolve that Thomas Lewis, now bound for New Castle in his sloop, be delayed three or four days, that Peter Alricks and Henry Cousturier may go with him. That general instructions be drawn up for them, suitable to the present state of affairs. That Governor Carteret be ordered to call a general assembly of New Jersey, to ascertain the strength, and how far they will contribute towards a war. That constant correspondence be kept up between the two governments, and a mutual understanding, &c.¹

1671.

October 5.

Sloop detained for commissioners to Delaware. Call of Jersey assembly.

October 6.

Letter from Governor Lovelace to Wm. Tom. Expresses his surprise at the murder, and blames him for not following his former directions.

In a letter of this date, to William Tom, the governor expresses his great surprise at what he learns from Mr. Tom, of the particulars of the murder of the two Christians by the Indians, as Captain Carr had so lately assured him "that all things between you and the Indians were so firmly settled that there was hardly any room left for any jealousy or distrust of them between you and them, much less that they should so suddenly break out into those unheard of cruelties and villanous murders, which, as their crimes have no parallel, so I am assured the vengeance of God will never forsake us, till we avenge the blood of the innocent on the contrivers' heads. Had my directions been bravely and vigorously pursued by you in the last sad accident, I doubt not it would have prevented this, and I pray God this sin be not laid to your charge."

He recommends that "all the frontier scattering plantations be ordered immediately to thresh out or remove all their corn, as likewise cattle, that so they may receive the less damage by the effects of the war that will ensue." Next, "that none, on pain of death, presume to sell any powder, shot, or strong waters to the Indians, and that, in the mean time, you carry, (if practicable,) a seeming complacency with that nation, by either treaty or traffic, that so they may have less mistrust of our intended designs; but if it can be so contrived that that nation will either deliver up the murderers to you, or their heads, you have then liberty to assure that nation of no disturbance, till I am acquainted therewith." The governor of New Jersey and Captain J. Carteret are acquainted with all this, and will use their endeavours to bring the murderers to justice." He recommends "a good work about the Matiniconck house, strengthened with a considerable guard, it would make an admirable frontier."²

Course to be pursued.

¹ Albany Records; General Entries, vol. iv. p. 45. ² Ibid. vol. ii. p. 42.

1671.

Governor Lovelace submits the management "connected with the present state of things" to Carr's "discretion. People need not flatter themselves with accommodation; the Indians have proved that they are not to be trusted. The assembly of New Jersey is called. Some Indians there say the nation are in great fear."¹

October 8.

Indians not
to be
trusted.

October 9.

Pass for sloop "Royal Oak," Thomas Lewis, master, to pass from New York to Delaware, and at this particular juncture to go up the river, and trade and traffic as the master shall see fit.

October 17.

The council determine, "upon serious and mature consideration of what has been returned by the officers on Delaware, in answer to the late orders sent thither concerning the barbarous murder committed by some Indians on the east side of that river, upon two Christians at Matiniconck Island, it is resolved and concluded as follows:

Resolutions
and orders
of council, in
anticipation
of Indian
war on Dela-
ware, in con-
sequence of
murder of
two Chris-
tians.

"1st. That this present season of the year is not a fit time to commence a war with the Indians who shall take part with the murderers, as well for the reasons given in writing from the officers at Delaware, as for other causes debated in council, so that the present intended expedition thither is deferred until a more convenient opportunity.

"2d. That, in the mean time, all endeavours be used by persons in authority on Delaware, to have the murderers brought, either dead or alive; for accomplishing whereof, if any reward shall be proposed or promised by said officers for the bringing them in, the same shall be punctually made good; and for that it may so happen that the malefactors, by some stratagem or otherwise, may be taken alive, commission shall be forthwith granted by his royal highness's governor, and herewith sent, empowering and authorizing the officers and magistrates who shall therein be named, to bring them to condign punishment, by putting the said murderers to death in the most public and shameful manner that may be, so as to strike terror and consternation into the rest of the Indians who shall hear or see the same.

"3d. Whereas some resolutions and orders have been lately made at Delaware, of their intention to retire into towns for their better security against the Indians, in case of a war, that the resolutions are very well approved of, and ordered,

¹ Albany Records; General Entries, vol. ii. p. 50.

that at their best and soonest convenience, they be put in execution accordingly. 1671.

“4th. The like resolution proposed as to Matiniconck; it being a frontier place, it is also allowed and approved of, and shall be done at first convenient season. Resolutions, continued.

“5th. It is also ordered, that the inhabitants at New Castle and parts adjacent, upon Delaware River, be digested into several companies, as the towns and number of men will permit; and upon return of the names of the officers that shall be chosen amongst them to have the command of such companies, they shall have commissions for their respective employments under his majesty's obedience. In meantime, those officers that shall be chosen are to act and proceed with allowance, till they be confirmed.

“6th. That every person that can bear arms, from 16 to 60 years of age, be always provided with a convenient proportion of powder and bullets, fit for service and their mutual defence, upon penalty for their neglect herein, to be imposed by the commissioned officers in command, according to law.

“7th. That the quantity or proportion of powder and shot to be adjudged competent for each person, be at least one pound of powder and two pounds of bullets; and if the inhabitants on the river shall not be found sufficiently provided with arms, his royal highness's governor is willing to furnish them out of the magazine or stores, they being accomplished and paying for what they shall receive, to the governor or his order.

“8th. That the places where the townships upon the river shall be kept, be appointed and agreed upon by the schout, commissaries, and the rest of the officers there, according to the proposals sent, as also where the block-houses and places of defence shall be erected, as well in the town as on the river.

“9th. That all former prohibitions of selling powder and ammunition to the Indians, under what penalty soever, be suspended, or left to the discretion of the officers, as they shall see occasion, until further orders.

“10th. That no corn or provision be transported out of Delaware, unless that which is already on board or intended to be shipped on the sloop of Thomas Lewis, (now on that river,) for which he shall have a special license or permit, until further orders.

1671.

"11th. That the officers and magistrates at Delaware be hereby empowered and authorized to treat with neighbour Indians of the Susquehanna, or others, to join together against the murderers, and such as shall harbour them, or take their part, if occasion shall require, and to promise such reward as they shall think fit, provided it be done with great privacy and caution, so that no sudden jealousies be given to the persons intended to be presented, or their confederates.

"12th, and lastly. That the afore-recited officers and magistrates, upon all emergent occasions, do take care by all means that shall present, (as well as by expresses,) to give an account hither of what, from time to time, shall happen there in relation to this matter, which said expresses and messengers shall be well and duly satisfied for their pains and trouble."¹

Nov. 19.

Governor
Lovelace
charges
Capt. Carr
with neglect
of duty,
while he re-
ceives pay
from the
duke.

Governor Lovelace, in a letter to Captain Carr, upbraids him for not discharging his duty, and says, "The backwardness of the inhabitants on Delaware has put a stop to the forwardness of those in New Jersey, who were ready with a handsome party to have stepped into the work, to bring the murderers to condign punishment; and truly I was much ashamed to see such an infant plantation to outstrip us, who should have been rather an example to others than to follow them, especially having the countenance of a garrison to boot, and you the principal officer. What account I shall give to his royal highness of this remissness, I know not, other than to lay the blame where it is justly due. For you to receive the duke's pay constantly, and the appearance of soldiers, and to let the fort run so miserably to decay, and not employing them in the reparation, when they did no duty, is but just a perfect rent-charge to the duke, for it is not reasonable that his royal highness should be at that charge only to allow you a salary."²

Appoints
special court
to try mur-
derers. If
guilty, to be
executed
forthwith.

The governor not deeming it prudent to keep the murderer of the Christians so long as to communicate with New York, appoints the officers and magistrates in New Castle and Delaware River, or any four of them, to be a special court of oyer and terminer, to call said malefactors before them, (if taken,) and if, by proof or confession, they shall be found guilty, that death be forthwith executed upon them.³

¹ Albany Records, vol. iii. p. 81.

² Albany Records; General Entries, vol. iv. p. 67.

³ Ibid. vol. ii. p. 63.

Thomas Lewis, who, with his sloop, was detained on account of the Indians, is released. 1671.

William Tom writes to Governor Lovelace, "that about eleven days since, Mr. P. Alricks came from New York; the Indians desired to speak with us once more concerning the murderers, whereupon they sent for me to Mr. Peter Rambo's, where coming, they faithfully promised within six days to bring the murderers, dead or alive; whereupon they sent out two Indians to the stoutest, to bring him in, not doubting easily to take the other, he being an Indian of little courage; but the least Indian getting knowledge of the design of the sachems, ran to advise his fellow, and advised him to run, or else they would both be killed, who answered he was not ready, but in the morning would go with him to the Maquas, and advised him to go to the next house, for fear of suspicion, which he did, and the two Indians coming to his house at night, the one being his great friend, he asked him if he would kill him, who answered "No, but the sachems have ordered you to die;" whereupon he demanded "what his brothers said;" who answered, "they say the like." Then he, holding his hands before his eyes, said, "Kill me;" whereupon this Indian that comes with Cocker shot him with two bullets in the breast, and gaye him two or three cuts with a bill on the head, and brought him down to Wicacco, from whence we shall carry him to-morrow to New Castle, there to hang him in chains; for which we gave to the sachems five match coats, which Mr. Alricks paid them. When the other Indian heard the shot in the night, naked as he was, he ran into the woods; but this sachem promised to bring the other alive, for which we have promised them three match coats. The sachems brought a good many of their young men with them, and there before us, they openly told them, "Now they saw a beginning, and all that did the like should be served in the same manner." They promised before them and us, that "if any other murders were committed by the Indians upon the Christians, that they would bring the murderers to us." How to believe them we know not, but the sachems seem to desire no war.¹

Various grants of land are this year made by Governor Lovelace, south of New Castle, viz. 300 acres of upland, called "High Hook," to Jan Siereks; 400 acres, called

Dec. 25.

Murderer taken and shot. Proceedings with the Indians.

Various grants.

¹ Albany Records; General Entries, vol. iv. p. 74.

1671. "Mountain Neck," to Abraham Coffin. From this date, in subsequent years, others were made, and the settlement was rapid, in the neighbourhood of Apoquinimy.¹

1672.

January 1. Governor Lovelace replies to information received, that he is pleased to learn of the capture of the murderer, and approves of hanging his body in chains; also of the mild course adopted by the commissaries, and hopes it may have an effect on the murderers at Parder Hook.²

License to a woman to trade on Delaware.³

January 26. Whereas the minister and officers of the church of Augustan Confession, or Lutheran congregation in this city, (New York,) under protection of his royal highness, Duke of York, have requested my license to build and erect a house for their church to meet in, toward which they do suppose all or most of the profession will in some measure contribute, and there being divers of them on the South River, at Delaware, to which place a sloop being now bound, a conveniency presents, so that they have pitched upon Martin Hoopman, to negotiate there for them. [Here follows the usual pass.] The officers there are likewise required no way to hinder or molest said Martin Hoopman in his endeavours of collecting the benevolence of such of the Lutheran profession in those parts towards the intents aforesaid, provided it does no way hinder or tend to make division or disturbance amongst the people, nor occasion the breach of the peace, the which his majesty's subjects are obliged to keep."⁴

January 23. The prohibition on exporting corn, laid in prospect of Indian war, is now removed, and Martin Krygier has permission to go with his sloop to Delaware, and return with corn or other produce.⁵

January 26. A patent granted by Richard Nicholls to Matthias Nicholls, for land on south side of Delaware River, near the falls known by the Indian name of *Chiepiessing*, and by Matthias Nicholls is conveyed to John Berry and Company, though no time was specially fixed for settlement, and owing to distance

¹ Foote's Address, which traces these settlements to the present occupants; p. 13, &c.

² Albany Records; General Entries, vol. iv. p. 78.

³ Ibid. vol. iii. p. 89.

⁴ Ibid. p. 86; vol. ii. p. 137.

⁵ Ibid. vol. iii. p. 86.

of the place from other plantations, longer than usual, has expired, this is passed over, and three years from date allowed for settlement.¹ 1672.

Governor Lovelace issues proclamation forbidding to carry out of the country debtors or servants, without permit. February 4.

Prohibition to sloops and vessels going up river above New Castle is taken off; henceforth it is lawful for any sloop or vessel to go up said river, bringing a certificate from the governor of his coming from hence, (Fort James,) but only such as sail from Fort James to have the privilege. The prohibition was found inconvenient and unequal, as vessels were permitted to go up to Albany.² Debtors and servants not to be removed. February 6. Vessels allowed to sail up above New Castle.

A pass is given to the wife of Laurs Holst, to go in the sloop of M. Krygier to Delaware, and thence up the river in some boat or canoe, to the *Swedes' plantations*, with shoes, and such other of her husband's trade, and return without hinderance.³ February 16. Pass for a woman to trade on Delaware.

A grant by Lovelace to Reloff Anderson, for 200 acres on north-west side of Apoquinimy Creek, bounded by Drawyer's Creek, confirmed, with various others; quit-rent, one to two bushels of wheat.⁴ February 20.

The governor being about to visit Delaware, issues the following order to Captain Nicholls, for his troops, as a body-guard: March 18.

"Whereas there is occasion of my going in person to Delaware overland, as well to conclude a peace among the mutinous Indians in those parts, as to settle affairs on that river, under his majesty's obedience, for the which, both for the reputation of his royal highness, whose person I represent here as his governor, and the safety of myself and retinue, it will be requisite that I have a party of horse out of the troops (of Long Island and this city) * * * Summon so many persons in each town, besides officers, as will make up the number twenty, to be ready with horses and arms. * * Those that stay behind shall be obliged to bear their equal share and part of trouble and charge, as their fellow-soldiers shall be put to that go," &c. &c.⁵ Governor, going to Delaware, calls for troops, to accompany him.

Captain Nicholls summons his soldiers to be at the ferry on Tuesday, 19th instant, where boats will be ready for their March 19. Captain Nicholls's orders.

¹ General Entries, vol. iii. p. 97.

² Ibid.

³ Ibid. vol. iv. p. 99.

⁴ Breviat.

⁵ Albany Records; General Entries, vol. iv. p. 110.

1672. transportation to the *Nevesink*, at the general rendezvous, which is appointed for the 22d.

Out of this number three persons to be pitched upon "to go with Captain John Garland, who is appointed to lead the way, and make preparations for the governor and his retinue; to set out on the 12th or 13th instant, at farthest."

March 22.
Governor's
instructions
for prepara-
tions for him
by the way.

The governor gives instructions to Captain Garland, about making the preparations for him. "Go with the horse allotted by the captain, as speedily as you can, to Neversinks, thence to the house of Mr. Jegoe, right against Mattiniconck Island, on Delaware River, where there are some persons ready to receive you. Being arrived at the river side, you are to go to Wiccaco, or where you shall be directed, where Captain Carr and the commissaries are, to whom deliver the letter, and then follow their instructions. You are to see that all conveniences for me and my party be made ready for our accommodation, as provisions, boats, &c., and likewise a considerable guard of men at Mattiniconck Island. After all these things are in order, you are to meet me with your party, and such other volunteers as are disposed to accompany you, and meet me one day's journey, which is at the *great Indian plantation*, where I intend to lodge that night, and purpose to be there, by God's help, on the 24th instant, and perhaps on the 23d. When we are there at the general rendezvous, I shall set things into further order. You are to treat the Indians and others with all civility, and to contrive it so that the Sussink Indians may be there when I pass by. You are to assure all the Indians that the intention of my coming amongst them is out of love and friendship to them."

During his absence, he intrusted the management of his affairs to two members of council.¹

Hostilities are renewed between the English and the Dutch.

May 16.

The inhabitants of Whorekill authorized to elect schout and commissaries, in place of those whose terms are now expiring. On Mr. Krygier's notifying the governor of the names of the new ones, they will be confirmed.²

May 27.

Incorporation of New Castle.
Terms.

The following minute of council, respecting the incorporation of New Castle, shows the rights and privileges of that town:

"1st. New Castle, being a corporation, is allowed of, and that it be a bailiwick, and governed by a bailiff and six

¹ Albany Records; General Entries, vol. iv. p. 114.

² Ibid. p. 130.

assistants; after the first year, four old ones to go out, and four others to be chosen in their places. The bailiff to be president, and have a double vote. A constable to be chosen by the bench, to try causes as far as £10 without appeal. 1672.

"2d. English laws to be established in the town and river. The office of schout to be converted into sheriff for the corporation and river; to be chosen annually.

"It is further to be considered of, when Captain Cantwell comes, if it be before Captain Carr's going away.

"3d. To have free trade, in their being obliged to make entry here at New Amsterdam, that the determination hereof be suspended until advice be sent about it out of England, or other considerations had thereon."

"Concerning the certificate about the Whorekill, that Captain Carr shall have instructions upon at his return.

"The Delaware expedition to be borne by the public. Mr. Nicholls charges the first voyage to Delaware to be borne out of the fines of the Long Finn."¹

"Upon consideration had of a certificate brought by Captain John Carr from New Castle, in Delaware, about the pretences from Maryland to Whorekill, and their sending surveyors to lay out land, without the consent or approbation of the officers there under the protection of his royal highness, who withstood their proceedings therein. It is ordered that the magistrates there be vindicated in what they have done, to whom a letter of thanks is to be sent; and it is likewise expected that they continue in their observance of such ordinances and directions as they shall receive from his royal highness's governor, and none others, until his majesty's or his royal highness's pleasure be signified to the contrary."²

Daniel Brown, a planter from Whorekill, is committed and sent a prisoner to New York, by the magistrates at Whorekill, for contemning the authority of the court, with several other abuses and misdemeanours. On his great sorrow, he is released, on bond of £20 to keep the peace, with promise, in case of second offence, of exemplary punishment.

Whorekill is authorized to lay an impost on strong liquors sold there, to repair losses sustained by the privateers last winter; on each anker of strong liquors, four guilders in wampum, for one year only, to test its expediency.³

May 27.
Claim of
Maryland to
Whorekill
opposed.

July 11.
A planter
imprisoned
for contempt
of court.

Duty on li-
quors at
Whorekill.

¹ Albany Records; Minutes of Council, vol. iii. pp. 92, 93.

² Ibid. p. 94.

³ Ibid. p. 110.

1672. Hermanus Fred. Wiltbank, schout, and Otho Wolgart, William Claesson, and Isaac Savey, commissaries, are confirmed by the governor, for Whorekill, for one year.¹

August 12. Edward Cantwell appointed high sheriff, (schout;) also to collect certain quit-rents on Delaware River; William Tom, who was appointed August 10, 1669, having resigned.²

August 18. An order issues in favour of Jan Cornelis Mathys and Martin Martinson, inhabitants at Amesland, on Delaware, for a parcel of valley or meadow land, upon the island over against *Calcone Hook*, near the plantation for which Israel Helm, through misinformation, obtained a patent, after being in quiet possession of the above. The court of Upland is authorized to examine into the matter, and report.³

August 22. In consequence of disturbances at Whorekill by one Jones, from Maryland, Governor Lovelace wrote to governor of Maryland, thus:

Particulars of outrage by Jones, at Whorekill, in letter from Lovelace to governor of Maryland.

“Sir—I thought it had been impossible now, in these portending troublous times, wherein all true-hearted Englishmen are buckling on their armour, to vindicate their honours, and assert the imperial interests of his sacred majesty’s rights and dominions, (that now, without any just ground, either given or pretended,) such horrid outrages should be committed on his majesty’s liege subjects, under protection of his royal highness’s authority, as was exercised by one Jones, who, with a party as dissolute as himself, took the pains to ride to the Whorekill, where, in derision and contempt of the duke’s authority, he bound the magistrates and inhabitants, despitefully treated them, rifled and plundered them of their goods, and when it was demanded by what authority he acted, answered in no other language but a cocked pistol to his breast, which, if it had spoke, had for ever silenced him. I do not remember to have heard of a greater outrage and riot committed on his majesty’s subjects in America, but once before, in Maryland. Sir, you cannot but imagine his royal highness will not be satisfied with those violent proceedings, in which the indignity rebounds on him; neither can you but believe it is as easy an undertaking for me to retaliate the same affront on Jones’s head and accomplices as he did to those indefensible inhabitants. But I rather choose to have first a more calm redress from you, (to whom I now appeal,) and from whom I may in justice expect that right, in the

¹ General Entries, vol. iv. p. 180.

² Ibid.

³ Ibid. p. 184.

castigation of Jones, *cum sociis*, that the nature and the law has provided, otherwise I must apply myself to such other remedies as the exigence of this indignity shall persuade me to. Thus leaving it to your consideration, I still remain your very humble friend,

1672.

“FRANCIS LOVELACE.

“Fort James, New York, August 12, 1672.”¹

Governor Lovelace orders Edmund Cantwell “to cause to be seated and cleared by some tenant, for my best advantage, a tract of land patented to Richard Gorsuch, on west side of Delaware River, bounded on the north by a creek called by the Indians Quiackitcunk, at Nicambanack Creek, and south by north side of Pemecacka Creek,² passing over Passaquesing Creek,³ and hath since assigned the same to me.”⁴

August 22.

Land for Governor Lovelace.

Governor Printz's daughter, Mrs. Pappegoya, presents a petition to Governor Lovelace, to which the following is his answer :

August 23.

“Whereas Jeuffro Armigart Printz, alias Pappegay,⁵ living in Delaware River, did make a request unto me, that in regard she lived alone, and had so little assistance by servants, having only one man-servant, and likewise in harvest time, or other seasons of the year for husbandry, when she was constrained to hire other people to help her, for whose payment in part, and relief also, she was wont to distil some small quantities of liquors from corn, as by divers others is used in that river, that I would please to excuse her man-servant from ordinary attendance at trainings in the company in which he is enlisted, and also give her license to distil in her own distilling-kettle some small quantities of liquors for her own use, and her servants and labourers, upon occasions as before mentioned. I have thought good to grant the request of said Jeuffro Pappegay, both as to the excuse of her servant's being at trainings, (extraordinary ones, upon occasion of an enemy or invasion excepted,) and likewise that she have license to make use of her distilling-kettle, as is desired, provided it be done with such moderation that no just complaint do arise thereby, to continue one year.”⁶

Mrs. Pappegoya, daughter of Gov. Printz, asks privilege of distilling, and of non-attendance of her servant on trainings.

Captain Edmund Cantwell, high sheriff of New Castle and Delaware, is appointed to make seizure of stray horses, neat

Sept. 3.

¹ Albany Records; General Entries, vol. iv. p. 189.

² Pennepack.

³ Poetquessing.

⁴ Albany Records; General Entries, vol. iv. p. 189.

⁵ In this manner it is written in the record.

⁶ Albany Records; General Entries, vol. iv. p. 190.

1672. cattle, and swine, unmarked and running at large, and dispose of them for his royal highness's benefit.¹
- Sept. 16. Governor orders Bedlow to pay boatmen for his boat hire, and carrying and bringing back the troops to and from Neversink, in the expedition to Delaware, either by discounting with, or giving credit for the amount of the bills allowed, and make the Delaware voyage debtor for the same.²
- October 1. Permission is granted to H. Hendrickson to proceed from New York to Delaware, and up the river, to collect his debts.
- October 12. The following proceedings in the court of assizes at New York, (to which it appears an appeal was made from Delaware,) between Mrs. Pappegoya and Captain Carr, relate to the recovery of Tinnicum Island for Mrs. Pappegoya:
- Trial between Mrs. Pappegoya and Captain Carr, attorney. "Afternoon—Armgart Printz, plaintiff; Captain Carr, as attorney for Andrew Carr, defendant.
- "Upon motion of Mr. S. Edsall, assistant to the attorney John Sharp, that in regard some of the papers are in High Dutch, and others in Low, desiring time till to-morrow afternoon to be heard, it is granted, and that the Lutheran domine be advised with about the translation from High into Low Dutch, of the procuration by Hans Block, and the Dutch papers put into English by a good interpreter.
- "Mr. Ryder, attorney for the defendants, denies Captain Carr's letter of attorney, as to trial for lands or title."
- It appears Peter Alricks, bailiff of New Castle for Delaware, was present at the court.
- October 13. "Thursday, P. M.—The same parties: Jacob Milborn, by power from John Sharp, attorney for plaintiff, is admitted to plead, and puts in a declaration.
- "Mr. Ryder refuses to go to trial further than Captain Carr's letter of attorney from Andrew Carr directs; however, the court thinks fit to proceed to trial, in regard it was so ordered at the high court at Delaware, the governor being present.
- "The first bill of sale, in Dutch, upon record, with Mr. Van Ruyven, is produced.
- "A power from Governor Printz, under his hand and seal, was produced, which being not judged sufficient, in regard the state seal was not affixed to it, another was procured, with the seal, and likewise put into court. The writings being in High Dutch, the translation of it into Low Dutch by the

¹ Albany Records; General Entries, vol. iv. p. 200.² Ibid. p. 184.

Lutheran domine were, according to order, brought into court. 1672.

"Besides this, Governor Printz dying, the plaintiff was forced to procure from Sweden new power from her sisters or other relations, which, in three papers, was delivered in also. Trial of Pappegay against Carr, continued.

"The original letter of attorney, or power, with the states seal, was translated into English by Nicholas Bayard, out of the Low Dutch.

"The bill of sale was read from Dutch into English, by Mr. Daniel.

"Peter Nÿs declares, that when he was in Holland, he saw and had in his hand, the power and consent of Jeuffro Pappegay, from her sisters, and their husbands' approbation.

"Mr. Ryder pleads his client Captain Carr had not sufficient authority in his letter of attorney, which was read, but withal produces several authentic papers, with seals to them, from out of Holland, against the plaintiff's right.

"He desires time for other witnesses out of Holland, but it is thought fit to delay the case no longer; so the court recommend it to the jury."

"Friday, before noon—In the case of Jeuffro Pappegay, plaintiff, and Andrew Carr, &c., defendant, the jury find for the plaintiff, as by their following verdict, viz. 'In the case depending between Armigart Printz, alias Mrs. Pappegay, plaintiff, and Mrs. La Grange, defendant, the jury having seriously considered the matter, do find for the plaintiff, and award the defendant to pay the principal, with costs of suit, and all just damages.' October 14.

"Afternoon—Order and judgment of the court:

"The same parties.—This case having been ordered to be heard at this court, after a full debate, being referred to a jury, who brought in their verdict for the plaintiff; the court having taken the same into consideration, do unanimously agree with the verdict of the jury, in manner and form as delivered in court, and do give judgment accordingly, and that the defendants pay costs and charges of suit. By order of the governor and court of assizes."¹

In relation to the attack from Maryland on Whorekill, Governor Lovelace instructs Captain Carr as follows: October 17.

"Sir—The letters you sent me, by the express over-land,

¹ Albany Records; Court of Assizes, vol. ii. pp. 293—300.

1672.

Instructions
to Captain
Carr.

came safe to my hands, with the enclosed relation and papers, concerning the Whorekill, and the Marylanders forcibly possessing themselves of the place, as also of the goods and estates of some of the inhabitants, of which we had some rumours before, but did not give much credit to it, supposing what was done before to be the rash action of some private person, not thinking the authority of Maryland would invade his royal highness's territories, which he hath been possessed of for near eight years, without giving the least overture of it to me, who am his royal highness's deputy. Their former violent action and force upon those poor unarmed people, together with the particulars of their plunders, I had immediate opportunity of transmitting to his royal highness, by a ship then bound away for London, the which I made use of, and recommended their case, and I hope it hath, long ere this, arrived at his hands, so that some directions about it may be expected in a short time; till when, I think it best for the present to leave matters there as they are, but as to the cloud which hangs over your heads at Delaware, which, it is said, they are making preparations to invade, my instructions and orders to you, and the officers in general, are, that you put yourselves in the best posture of defence possibly you can, by fitting up the fort in the town, keeping your companies in arms, both there and up the river, who are to provide themselves with fitting ammunition; and that all soldiers be at an hour's warning, upon any alarm or order given; and that, at the town especially, you make your guards as strong as you can, and keep a strict watch, and if any enemy come to demand the place, that you first desire to know their authority and commission, and how it comes to pass those of Maryland should now make such an invasion, after so long quiet possession of those parts by his royal highness's deputies, under his majesty's obedience, and by other nations before that, several years before the date of the Lord Baltimore's patent, whom they never disturbed by arms, and whose right is now devolved upon the duke. Stand well upon your guard, and do not begin with them, but if they first break the peace, by firing upon your guards, or any such hostile action, then use all possible means to defend yourselves and the place; and command all his majesty's good subjects to be aiding and assisting to you, who, I hope, will not be wanting to their

abilities. In all matters of concern, you are to take advice of the chief officers there. 1672.

“This will come to you by your bailiff, Mr. Peter Alricks, who is hastening overland, to secure his affairs there, in this portending invasion, and to give his best help for the safeguard of the place, and his royal highness’s interest, upon all occasions. Fail not to send an express to me, by whom I shall give you such further directions and assistance as will be requisite, and if occasion should be, will come over myself in person, though the spring would be more suitable for me than a winter voyage. So recommending all things to your care and vigilance, of which I expect a good account, I conclude, being your very loving friend, FRANCIS LOVELACE.

“Fort James, in New York, this 7th of October, 1672.”¹

William Douglass is taken by sloop from New Castle, a prisoner to New York, he having returned after banishment from the government. Is to be imprisoned and kept till further orders.²

Dec. 26.

William Douglass imprisoned again.

This year the celebrated Friend, George Fox, visited this part of the country. He arrived from Jamaica, in Maryland, and, accompanied by John Burnyeat, Robert Withers, and George Pattison, on their way to New England, by land, they touched at New Castle, and from thence, with much difficulty, crossed the Delaware. On their return, they again visit New Castle, swimming their horses by the sides of canoes, and underwent many difficulties. At New Castle, they met with a handsome reception from Governor Carr, and had a pretty large meeting there, it being the first ever held in that place; thence they returned to Maryland.³

George Fox visits New Castle.

1673.

William Douglass, for the trouble he has given, is to be sent by Captain S. for Barbadoes, there to be sold.⁴

February 6.

Governor Lovelace appoints Peter Alricks, Captain Edmund Cantwell, William Tom, and Captain Walter Wharton, commissioners to appraise and set a value upon the island of Tinnicum, in Delaware River, (not long since in tenure or possession of defendant, Andrew Carr and wife Priscilla,)

March 2.

¹ Albany Records; General Entries, vol. iv. p. 213.

² Ibid. p. 244.

³ Smith’s History of Pennsylvania, in Reg. Penns. vol. vi. p. 181, which see for some curious incidents.

⁴ Albany Records; Minutes of Council, vol. iii. p. 131.

1673.

Mrs. Pappegoya to be put in possession of Tinnicum Island, for amount of judgment against Carr.

and other goods. The commission sets forth, that "Whereas Jeuffro Armgardt Printz, alias Pappegay, did obtain a judgment upon the verdict of a jury, at the last general court of assizes, against Andrew Carr and Priscilla his wife, for the sum of 3000 guilders, Holland money, or £300 sterling, together with all due charges and costs of suit, the determination whereof being referred to the major part of the bench, they did make report that £50 shall be allowed for interest and forbearance of principal debt, leaving the other charges and costs to the determination of the law." Governor confirms decision of £300 and £50, and £5 more, charges apparent and usual costs to be levied on estate, goods, and chattels of defendants, on Delaware River or elsewhere, within the government; if there be not sufficient"—[Then follows an execution to be served on Carr's estate, for use of Jeuffro Armgardt Printz, alias Pappegay, directed to Cantwell, high sheriff, to levy, after appraisement made.] "And for that it is thought the most considerable part of Carr's estate is upon island of Tinnicum, you are hereby empowered to put the said Jeuffro Printz into possession of said island, and the stock thereon, which, if not sufficient, levy on other property of Carr."¹

March 20.
Licenses granted.

A pass for John Schouten to go with his sloop to New Castle, or parts adjacent, and return to New York with his loading. Also a license for John Garland, to trade or traffic with the Indians or others at Whorekill, in any goods not prohibited, and likewise to go up the river above New Castle, in any vessel belonging to New York, according to toleration granted by governor in council, 27th January last. The magistrates are required not to hinder him, any former orders notwithstanding.²

March 18.
Lord Berkley sells to John Fenwick.
Wm. Penn arbitrator between Byllinge and Fenwick.

Lord Berkley parted with the whole of his right and title in New Jersey, to John Fenwick, in trust for Edward Byllinge, for £1000, thus dissolving the joint tenancy with Carteret.³

Some difficulty afterwards occurring between Fenwick and Byllinge, as to their respective interests, William Penn was appointed arbitrator, who gave Fenwick one-tenth of the province, with a considerable sum of money; the remaining nine-tenths to Byllinge.⁴

¹ Albany Records; General Entries, vol. iv. p. 260—262.

² Breviat, p. 42.

³ Mulford, p. 165. Mickle, p. 29. Johnson, p. 13.

⁴ Mulford, p. 166.

The affair of Whorekill considered by governor and council; letters from Carr, Cantwell, and Wharton read, proposing plans for reducing it; ordered to send a commission to the officers and magistrates at Delaware, "to go to Whorekill, there to keep a court in the king's name, and inquire of all irregular proceedings, and settle the governor and officers there as formerly, under his majesty's obedience, and according to particular instructions to be sent." This shows that the Marylanders did not keep possession of the Whorekills.¹

1673.

April 24.
Commission
to go to
Whorekill.

Several grants of land at New Castle, and between "Dog and Namon's" Creek, reserving to the duke quit-rent of one bushel of wheat.²

Grants of
land.

Proclamation of governor, reciting the great scarcity of wampum throughout the duke's territories, which was received and paid currently there in all transactions between man and man, therefore, in order to bring in wampum, increasing and raising the value of it to one-third more than it was before.³ Six beads were formerly valued at a stiver, of which twenty made a guilder, or about fourpence sterling.⁴

June 24.
Proclama-
tion respect-
ing wam-
pum.

War between the Dutch and English having commenced last year, a few Dutch ships, under command of Evertse and Benkes, now arrive under Staten Island, a few miles from New York. The commander of the fort, John Manning, treacherously made peace with the enemy, and delivered up the fort without giving or receiving a shot, and the major part of the magistrates and constables swore allegiance to the States-General and the Prince of Orange. Thus New York, as well as New Jersey, became once more under the Dutch government. Deputies were likewise sent by the people inhabiting the country as far west as Delaware, who, in the name of their principals, made a declaration of their submission, and Delaware again reverted to the Dutch.⁵

July 30.
Dutch re-
take New
York, &c.

ANTHONY COLVE was appointed governor, and various privileges were conferred on the people.

August 12.

The following is Governor Colve's commission, which shows the extent of the Dutch claim:

"Whereas it is necessary that a good and expert person should be chosen to act as governor and chief magistrate in this conquest of New Netherland, with all its dependencies, beginning at Cape Henlopen, on south side of Delaware Bay,

Governor
Colve's com-
mission.

¹ Breviat, p. 42.² Ibid.³ Ibid.⁴ Proud, vol. i. p. 134.⁵ Smith's N. Y., vol. i. pp. 39, 40. Mulford's N. J. p. 157.

1673. and the South River included, in such a manner as it was in former days possessed by the directors of the city of Amsterdam, and afterwards by the English government, in the name and in behalf of the Duke of York, and further of aforesaid Cape Henlopen, all along to the great ocean, to the east of Long Island and Shelter Island, and from there westward to the middle of the channel named the Sound, to the village Groenangen, on the continent, and so to proceed landward in upon a northerly line, so that it shall proceed to ten miles from the North River, in conformity to the provisional division of the limits, as agreed upon in the year 1650, which afterwards was confirmed and ratified by their high and mighty lords the States-General of New Netherland, on 22d February, 1656, and 23d January, 1664, with all the lands, islands, rivers, lakes, kills, creeks, fresh and salt water, fortresses, cities, villages, and plantations comprehended within it, so is it that we, sufficiently convinced of the experience of Anthony Colve, captain of a company of Netherland infantry, in the service of the high and mighty, &c., in virtue of our commission granted to us by aforesaid high and mighty, &c., commissioned and qualified, so as we by this do commission and qualify the aforesaid Anthony Colve to govern as governor-general, this country and fortresses, with all their appurtenances and dependencies, and to protect these against all invasions of enemies, so as he, to the best of his abilities, shall deem most salutary for the service of this country, commanding therefore all high and low officers, justices and magistrates, and other commanders, soldiers, citizens, and all inhabitants of this country, to acknowledge, honour, respect and obey the aforesaid Anthony Colve as the governor-general, as we have deemed this necessary for the service of the country. All this under approbation or rejection of lords principals. Done, &c. August 12, 1673.

Governor
Colve's com-
mission, con-
tinued.

"C. EVERTSE, jun.

"J. BENKES."¹

Sept. 9. Governor Lovelace was ordered to depart the province, but
Departure of afterwards obtained leave to return to England with Com-
Lovelace. mandar Benkes.²

Sept. 12. The Delaware having again reverted to the Dutch, before
a council of lords, in the military tribunal at Fort William
Henderick, (New York) present, Benkes, Evertse, jun., and

¹ Albany Records, vol. xxiii. pp. 332, 333. ² Smith's N. Y. vol. i. p. 39.

Captain A. Colve, appeared deputies of South River, who deliver their credentials, and further declared their submission under obedience to the honourable lords States-General of New Netherland, and his serene highness, Prince of Orange, and asked for certain privileges. They were answered thus: 1673.

“1st. Till further orders from Holland, they may enjoy free trade and commerce with Christians and savages, as others enjoy. Conditions established by the Dutch after return of the country to their government.

“2d. A commander shall be appointed on South River, authorized to enlist ten or twelve soldiers, and further, to summon and command every sixth man of all the inhabitants to build a fort in the most convenient place.

“3d. A person to be authorized by the commander to investigate what debts are yet to be paid to the English government, and what debts of that government are yet unpaid, which, when reported to the governor, further order will be issued.

“4th. Freedom of conscience is granted to petitioners.

“5th. The valley near the place to be disposed of at a convenient time, and as the governor shall direct.

“6th. Swedish and Finnish residents on South River to enjoy same privileges as other subjects.

“7th. Inhabitants of South River, in consequence of expenses in constructing the fort, to be free from taxes on land, and from excise on wines and distilled liquors consumed there, till May, 1676.

“8th. The English to be entitled to the same, provided they take oath of loyalty.

“9th. All inhabitants on South River to keep undisturbed possession of houses, lands, and property. When persons now residing in Maryland possess any lands on South River, and obtain lawful deeds, they shall be permitted, within three months from this day, to apply to, and have deeds confirmed by the governor, but must in that time settle under this government, and take oath of allegiance, or forfeit their lands. Done at Fort William Hendricks, September 12, 1672.

“Signed,

JACOB BENKES,

“CORNEL. EVERTSE, jun.”

“A majority of inhabitants to name, by a majority of votes, eight persons for each court of justice, whose jurisdictions provisionally shall be: Three courts. Jurisdictions. Judges, how elected.

“1st. For *New Amstel*, for inhabitants of east and west

1673. shore of Christina kill to Bompjes Hook, including inhabitants of Apoquinimy.

"2d. For *Upland*, for east and west wall of Christina, upward to mouth of river.

"3d. For *Whorekill*, east and west wall of Cape Henlopen, to Bompjes Hook.

"Said nominations to be delivered to commander and sheriff, P. Alricks, to be conveyed to governor, to select from it, and commission to be sent to such." Signed as above.¹

Sept. 19.

P. Alricks
appointed by
Dutch
schout and
commander.

Peter Alricks was appointed by Governor Colve, schout or sheriff, and commander on South River, lately named Delaware, beginning at Cape Henlopen, and so much further south as it was possessed during the former Dutch government. He took the oath of allegiance to New Netherland, and is required to take it from all who submitted.

Walter Wharton is appointed surveyor-general.

Rations.

Commander Alricks was authorized to enlist ten or twelve soldiers at the expense of the government, among whom to be two corporals, at 48 st. Holland, and for soldiers, 35 st. per week; rations, 6 pounds beef, 6 pounds rye bread, half pound butter, half vat small beer, for 7 men per week; one schepel peas per month. He received the following instructions:

Sept. 27.

Instructions.

"1st. Sincere, true Christian religion, in conformity with Synod of Dordrecht, shall be preached, and by all means maintained, without permitting that, by any other sect, any thing contrary to it is attempted.

"2d. He is seriously recommended to keep his people in good order, and to be every night precisely in the fort.

"3d. He shall, as far as in his power, keep good correspondence with the commissaries on South River.

"4th. Keep the natives or Indians devoted to him as far as possible, and endeavour to render the Dutch government palatable to them.

"5th. He shall, in distributing rations, regulate himself as follows: for each man, per week, 6 pounds beef, or 3½ pork, 6 pounds bread, half pound butter, or 2 st. Holland in lieu of it, one half vat of small beer for 7 men; each month, a schepel (3¼ bushels) peas each man.

"6th. As regards sheriffalty, he shall conduct agreeably to instructions from time to time.

¹ Albany Records, vol. xxiii. p. 323.

"7th. Further, he shall regulate himself agreeably to orders sent. 1673.

"8th. Shall not neglect to inform us, by every opportunity, of any transactions there, and, if required, despatch an express for the purpose.

"9th. Shall endeavour, as far as possible, to obtain information of transactions of the English in Maryland and Virginia, and make them known to us.

"10th. The commander is authorized, under my approbation, to distribute lands among the inhabitants on South River, to promote agriculture, after having measured them by a sworn surveyor, and requested a deed and confirmation."¹

A general act of confiscation was passed by the Dutch, on recovering possession, of all the houses, lands, goods and effects, without exception, in this country, belonging to the kings of England and France, and their subjects, and also of those of the Duke of York, his late governor and auditor-general, and all other military officers in this country, on behalf of the high and mighty lords, &c. of New Netherland, with the only exception of the neighbouring colonies of New England, Virginia, and Maryland, who, for sufficient reasons, remain as yet excluded from this general confiscation; commanding, yet once more, each of our good inhabitants, that they, in conformity to the placard, shall discover and faithfully communicate what may be known to them upon the amende mentioned; each one is once more warned at his peril.²

Commander Alricks, on South River, is ordered by letter, in case Captain John Carr did not, as he requested, submit himself and reside within the government, to take possession of his estate, in virtue of the decreed confiscation, and transmit by first opportunity an inventory.³

Hermanus Wilbank, Sander Molestyn, Dr. John Rootes, and William Claessen, are approved by the governor out of the nominations by the inhabitants of Whorekill, as magistrates for one year.

Two millstones lying useless at Whorekill, formerly belonging to the city's colony, are wanted at New Amstel. The magistrates ordered to send them to Alricks.⁴

¹ Albany Records, vol. xxiii. pp. 11, 12.

³ Ibid. p. 96.

² Ibid. p. 337.

⁴ Ibid. pp. 96, 301.

Sept. 20.
Act of confiscation passed.

November?
Captain Carr's property to be confiscated.

Nov. 28.
Magistrates of Whorekill.

Millstones.

1674.

January 24. Several Englishmen from Maryland drove the subjects of this government, in a barbarous and cruel manner, from their dwellings, and ruined them, by burning their houses, thereby no doubt bereaving them of means of subsistence. Governor Colve publishes that he will provide for all such exiles, Dutch or English, who go to him with certificates of the fact from Alricks. The inhabitants at Whorekill, on appearance of any enemy, are to obey orders of the commander, or be prosecuted as perjured.¹

Marylanders
burn houses
and drive off
inhabitants,
to whom
Colve offers
provision.

February 19. The treaty of peace was signed at Westminster, between England and the States-General, the 6th article of which says, "That whatsoever countries, islands, towns, ports, castles, or forts, have or shall be taken on both sides, since the time the late unhappy war broke out, either in Europe or elsewhere, shall be restored to the former lord or proprietor, in the same condition they shall be in when the peace itself shall be proclaimed." Under this treaty the English again acquire possession of New York and the Delaware, the Dutch having held them but for a short time.² (February 9.)

Treaty of
Westminster
restores the
Dutch con-
quest to the
English.

February 20. Fenwick and his *cestui que trust*, Edward Byllinge, (the latter having become unfortunate,) conveyed, for the benefit of his creditors, to William Penn, Gawn Lawrie, and Nicholas Lucas, nine undivided tenth parts of the province, the remaining tenth part continuing in the hands of Fenwick. This remainder was soon after leased for one thousand years, to Eldridge and Warner, from whom Fenwick, before leaving England, had procured money, who were allowed to dispose of as much land as would reimburse them, thus placing the control of the whole in the hands of the lessees, subject to a contingent claim remaining with Fenwick.³ Thus William Penn became one of the chief instruments in settling West New Jersey.⁴ (February 10.)

Fenwick con-
veys to Wil-
liam Penn,
&c. as trus-
tees.

Rev. Mr. Fabricius appears to be again in trouble. The following proceedings in court appear in the case :

Proceeding
in court
against Fab-
ricius.

"Attorney-general, plaintiff, against J. Fabricius, *before a* Lutheran minister, defendant—The plaintiff, *ratione officii*, said, the defendant, last Monday a fortnight, married a certain R. Doxe, now a prisoner, to one Mary Ann Harris,

¹ Albany Records, vol. xxii. p. 137.

³ Mulford, p. 167. Mickle, p. 29.

² Smith's N. Y. vol. i. p. 41.

⁴ Proud, vol. i. p. 137.

without consent of the governor, or of magistrates, without inquiry if any legal objections were against it, which is a case against all good laws, to the prejudice of your inhabitants, and in contempt of the good laws of this country, who therefore ought to be punished as he deserved; therefore plaintiff concludes that the defendant shall be brought to the place where public justice is administered, there to be severely flogged, and banished for ever out of the province." 1674.

"Attorney-general, plaintiff, against J. Fabricius, defendant—Plaintiff, *nomine officii*, says the defendant on 23d last, P. M., came to the house of Mary Jurianen, made an assault on her in her own house, and committing violence in taking her goods away, as is evident by the affidavits annexed, besides complaint of many aforesaid, which certainly in any place of good police ought not to be tolerated, but punished, for an example for others. Asks that he shall be punished with arbitrary correction, for the violence, and for striking, five beavers, *cum expensis*."

Another suit against Fabricius for an assault upon a woman.

R. Doxe is also sued for coming to Fabricius with counterfeited certificate of T. Wendall, &c.¹

Jacobus Fabricius, minister, (severely indisposed,) petitions Governor Colve, and "shows, with all humility and submission, the great mistake which I (he) committed in marrying a couple on the 6th of February last, and prays his honour to absolve me (him) this time in your discretion, considering I was ignorant of the present customs, nor of the fraud of the witnesses, besides the conduct of Thomas Wendall, and her importunate entreaties, which I more than once declined; and lastly, that in my enfeebling sickness, I had not my mind sufficiently at command. I shall not only acknowledge this mercy with thankfulness and praise, as good before men, but be more on my guard in future, on similar occurrences, as it would cause my ruin, which your honour might possibly effect, but your honour would not be benefited by it, and mercy ought always obtain a place before justice, more so yet, as it is the first time. I expect then, a consoling absolution, by which they would console my poor distressed, sick soul.

Petition of J. Fabricius for absolution. His reasons.

M. J. FABRICIUS."²

"The defendant, Jacobus Fabricius, remaining in default, is required to appear at next session of court."³ March 5.

¹ Albany Records, vol. xxiii. pp. 448, 449.

² Ibid. p. 446.

³ Ibid. p. 161.

1674.

The governor and council, hearing the submission and confession of J. Fabricius, and "informed too of his previous bad conduct, nevertheless, from respect of his old age, and the office in which he for some time acted, unwilling to proceed against him with severity and rigour, condemn and declare him unable, during a whole year, to act as a gospel minister, or in any way whatever dependent on that office. Then he shall be obliged to solicit a special consent, before he can be admitted again to the ministry."

March 21.

Fabricius is suspended for one year, and fined for striking a woman.

Doxe's marriage declared illegal.

Doxe's (whom he married) marriage was declared illegal, because Fabricius was not duly qualified, and three proclamations had not been made: the charge of bigamy not substantiated, therefore he is permitted to have his marriage confirmed, according to laws of the government.

In the case of violence in striking Mary Jansen, J. Fabricius confesses it, but says she "provoked him to it by scolding." He is fined two beavers, *cum expensis*.¹

April 18.

J. Fabricius asks to be permitted to baptize.

J. Fabricius prays that his sentence may be so far mitigated, that if he is not permitted to preach, at least he might be to baptize. "The suppliant's petition is *excused*." (?) The index, in referring to this, says, "he is permitted to baptize."²

July 9.

New letters-patent to the Duke of York.

Some doubts arose whether the changes in government from English to Dutch, and back again to the English, had not impaired the Duke of York's title, and grants made by him under it. To prevent any difficulty which might occur with regard to this question, letters-patent were issued by his majesty to the duke, in nearly the same words with the former grant, conveying again to him the same portion of territory.³ (June 29.)

July 11.

Two days after receiving the patent, the duke commissioned Sir EDMUND ANDROSS governor over the whole country, from the west side of Connecticut River to the east side of Delaware, embracing what of New Jersey had been previously granted to Berkley and Carteret.⁴

August 8.

The duke executes a new conveyance to Sir George Carteret, in severalty, for only the eastern part of New Jersey, Lord Berkley having previously, (March 18, 1673,) disposed of his own undivided portion of the province.

October 31.

About this time Major, afterwards Sir Edmund Andross, arrived as the governor under the Duke of York, and soon

¹ Albany Records, vol. xxiii. p. 169.

² Mulford, p. 159.

³ Ibid.

⁴ Ibid. p. 161.

after issued a proclamation, confirming all grants for land heretofore made, as well as judicial proceedings, to his arrival. He established former laws, together with the manner and time of holding courts, &c.¹ 1674.

(Saturday.) The Fort Amsterdam, New York, was this day surrendered to Governor Andross, and Matthias Nicholls sworn in as one of the council. All magistrates in place at the time of the Dutch coming here, to be re-established for Delaware River, except Peter Alricks, the bailiff, he having proffered himself to the Dutch at their first coming, of his own motion, and acted very violently as their chief officer ever since.² (October 31.) Nov. 10. Fort delivered to Andross. Magistrates re-established, except Alricks.

Andross informs, by letter, the governor of Maryland, that he has received from the Dutch, New York and its dependencies, in behalf of his majesty, to continue as formerly under his royal highness; that he has given orders to magistrates and officers at Delaware, "to prevent or redress any kind of injury to the neighbouring colonies, and will not doubt the like on the governor of Maryland's part."³ Nov. 13. Andross writes to governor of Maryland.

Andross reappoints all commissaries who were in office when the Dutch took possession in July, 1673.⁴ Nov. 14.

Captain Cantwell, formerly sheriff of Delaware, to be sheriff, and William Tom secretary or *clark* for the town of New Castle. Captain Cantwell and J. De Haas are authorized to receive quit-rents and all other duties, whether customs or excise, as formerly was established before the coming of the Dutch, and for customs as they now are, since established by his royal highness, and to return a true account of the state of all matters relating to the revenue, by first opportunity.

Governor Andross commissions Captain Cantwell and William Tom to take possession of the fort at New Castle; also the cannons and all other stores of war there, or in any other part of the river, for his majesty's use, pursuant to articles of peace with the Dutch; "and you are, upon occasion, to send to any other part of the country for the repossession and settling any of his majesty's subjects in their just rights, and particularly at the Whorekills; likewise to comport your- Andross appoints officers at Delaware to receive fort, &c.

¹ Smith's N. J. pp. 77, 78. Proud, vol. i. p. 136.

² Albany Records; Minutes of Council, vol. iii. p. 1.

³ N. Y. Records; in Breviat, p. 42.

⁴ Albany Records; Minutes of Council, vol. iii. p. 1, 66. See Reg. Penns. vol. iv. p. 56.

1674. selves with neighbouring colonies in a friendly and amicable manner."¹

Magistrates
of Dela-
ware.

The names of the justices for New Castle are Hans Block, John Moll, Fop Outhout, Joseph Chew, Dirck Alberts. For the river, Peter Cock, Peter Rambo, Israel Helme, Laers Andriesson, Wolle Swain.²

Nov. 21.

Nov. 22.

Various com-
missions to
Capt. Carr.

Captain Cantwell is authorized to administer the oath of office to the commissaries and others at New Castle and Whorekill. He is also to inquire for the king's colours, which were in the custody of Captain John Carr, late deputy governor, before the Dutch came, in 1673, who having gone out of the government, is supposed to have taken them with him, or left them with some private person. If found, to use them in the fort, and for the company in New Castle of which he is captain.

Andross issues the following proclamation :

Nov. 19.

Proclama-
tion of Gov.
Andross, on
assuming
the govern-
ment, con-
firming all
grants and
judicial pro-
ceedings be-
fore the
Dutch took
possession.

"Whereas it hath pleased his majesty and royal highness to send me with authority to receive this place and government from the Dutch, and to continue in the command thereof under his royal highness, who hath not only taken care for our future safety and defence, but also given me his command for securing the rights and property of the inhabitants, and that I should endeavour, by all fitting means, the good and welfare of this province, and dependencies under his government, that I may not be wanting in any thing that may conduce thereunto, and for the saving of the trouble and charge of any coming hither for the satisfying themselves in such doubts as might arise concerning their rights and property, upon this change of government, and wholly to settle the minds of all in general, I have thought fit to publish and declare, that all former grants, privileges, or concessions heretofore granted, and all estates legally possessed by any under his royal highness, before the late Dutch government, as also all legal and judicial proceedings during that government, to my arrival in these parts, are hereby confirmed, and the possessors, by virtue thereof, to remain in quiet possession of their rights." It is also "declared, that the known book of laws formerly established, and now in force, under his royal highness's government, is now again confirmed by his royal highness, which are to be observed and practised, to-

¹ Albany Records; Minutes of Council, vol. iii. pp. 1, 66. See Reg. Penns. vol. iv. p. 56.

² Ibid.

gether with the manner and time of holding court therein mentioned, as heretofore, and all magistrates and civil officers belonging thereunto to be chosen and established accordingly."¹ (November 9.) 1674.

1675.

E. Andross, in a letter to Cantwell, acknowledges receipt of his (Cantwell's) letters of 30th November and 9th December, informing "of his having taken possession of the fort, and of the magistrates being settled at New Castle, as also up the river and at the Whorekill." Andross "is glad to hear that people are generally so well satisfied with the change, and of the likelihood of new comers to settle in these parts;" thanks him for his care in executing his orders, and allows of his "entertaining a man for the fort, and taking up a barrel of powder and shot," as he mentions, and promises all encouragement and protection, in order to which, he expects to visit them in the spring. "In the mean time, you may give such new comers as desire to continue there any reasonable quantity of lands not disposed of or settled in time, according to their capacity and number of hands they shall bring for clearing, due regard to be had to the late war, and former undertakers to be preferred. The quantity of lands to be disposed of I must leave to your discretion, referring you to the custom of the place and neighbourhood, but suppose forty or fifty acres may be sufficient for a head of age to improve it, lest we run into former errors, of giving greater tracts of land than improved, to the hinderance of others." Empowers him to be surveyor for the whole river and bay till he comes. "As to your apprehension of some people's removing to the east side, I suppose none of any note will be hasty therein, the proprietors not being agreed, and though some have obtained, others have no grants yet from his royal highness, so that it is not like to come in our hands." Refers to execution upon Carr's estate, and to his proclamation confirming all legal proceedings, "as sufficient authority for all officers and magistrates." As to the militia, he thinks of making no alteration till he comes. "Your lieutenant, in your absence, having power to command, and the ensign being absent, the oldest sergeant may do that duty, or be made ensign on occasion; and for the Whorekill,

January 19.
Letter from
Andross to
Cantwell.
Fort; lands
to settlers.
Militia.
Murder of
Dr. Rhodes
by Indians.

¹ Albany Records; A. P. S. MSS. in Reg. Penns. vol. iv. p. 57.

1675. the number is as yet too little for a company, but if necessary, you may nominate a lieutenant, who may choose a sergeant, and command there till further orders. You have done well in summoning the Indians, to demand justice upon the murderer of Dr. Rhodes, which I pray prosecute in the best means you can, that it may be effected (if possible) without wars; if not, let me hear from you very early in the spring, that I may take order in it, and supply you accordingly."¹

Quit-rents remitted for three years. Among other regulations then made for encouragement to settlers, he remitted the quit-rents for the first years on all new lands to be taken up and seated in Delaware precincts. (See 1678.)

February 23. Expecting to be at Delaware by April, Andross orders Cantwell "not to suffer Carr, or any from him, to dispose of or make away with his estate, upon which, (if you judge necessary,) you may lay an attachment in his majesty's behalf." Requires him to make up his accounts of customs to 25th March.¹

April 3. It appears, from a reference on the New Castle Court Records, to "*proceedings of a court held in New Castle, March 24, 1674,*" (1675,) that courts were established here as early, or perhaps prior to this date. The records are at present not among those at New Castle,³ where the earliest that we have seen are October, 1676. We have seen no evidence of courts in the time of Lovelace, though there must, no doubt, have been some legal proceedings. Courts were held "at a place now called Troy or Jones's Creek, near Dover, for Jones's, now Kent, and at Whorekill, now Lewistown, for county of Deal, now Sussex county."⁴

April 6. Andross again writes to Cantwell, about an Indian found dead, and those who murdered Dr. Rhodes; also respecting Murders. Distilling of corn prohibited. an Indian killed by an inhabitant on the river, and orders the magistrates to inquire into it, and do justice immediately in it, although it should not be demanded by the Indians. The governor hopes Cantwell has prohibited all manner of distilling corn, as well as its transportation; if not, directs it immediately.⁵

April 18. Two Christians were murdered by the Indians on Millstone.

¹ N. Y. MSS. A. P. S. in Reg. Penns. vol. i. p. 93. New Castle Records, lib. A. p. 320.

² MSS. A. P. S. Reg. Penns. vol. i. p. 93.

³ New Castle Records, lib. A. p. 59.

⁴ Del. Register, vol. i. p. 177.

⁵ N. Y. Records, in Breviat, p. 43.

Andross directs Governor Carteret to inquire, by express, ^{1675.} into the murder, and to give orders for thirty horses for his journey to Delaware, to be ready by 29th, or at furthest by the last of the month. He will come by way of the Falls, where Cantwell may meet him on the 4th of May, or proceed to Millstone. "In the mean time, look well to yourselves, and give no offence or suspicion to the Indians." He speaks of James Sandyland, and says, "he ought to be tried by court, and detain, punish, or release him. As to his being out on bail, if he be not criminal, it cannot be denied him." The charge against him is not mentioned.¹

Preparations to be made for governor's visit to Delaware.

Cantwell sent an express to the governor, expressing his fears of the Indians, which Andross says are unfounded. Expects to set out on his journey on the 3d of May, and be at the Falls next day. Thanks him for his care for the preservation of the inhabitants, and promises to supply all things necessary.

May 10. Fears of Indians. Governor about to start on his journey.

Arrived at Salem the ship "Joseph and Mary," Captain Matthew Payne, bringing passengers, among whom were Hypolitus Lefevre, John Pledger, Richard Johnson, &c. This is believed to be the first vessel which arrived in West Jersey, though Smith, in his "New Jersey," says the first arrived next month.²

May 13. Arrival of first ship from England.

It is probable there were at this time but three churches in the present Delaware and Pennsylvania.

At a special court held by governor, at New Castle, ordered, "That the church or place of meeting for divine worship in this town, and the affairs thereunto belonging, be regulated by the court here, in as orderly and decent a manner as may be."³ That the place for meeting at Crainehoeck⁴ do continue as heretofore. That the church at Tinnicum Island do continue as heretofore; that it serve for Upland and parts adjacent.

Orders of court about churches. New Castle. Tinnicum and Upland, &c.

"And whereas there is no church or place of meeting higher up the river than said island, for the greater ease and convenience of the inhabitants there, it is ordered, that the magistrates of Upland do cause a church or place of meeting for that purpose, to be built at *Wickegkoo*, the which to be

No church higher up. A church to be built at Wickegkoo.

¹ Albany Records; Minutes of Council, vol. iii. p. 35.

² MSS. at Salem.

³ Penn speaks of this as a Dutch church.—*Footnote*.

⁴ Tranhook, on the low lands opposite the old stone church, which was built at Wilmington about 1680.—*Footnote*.

1675. for the inhabitants of Passyunk, and so upwards, the said court being empowered to raise a tax for its building, and to agree upon a competent maintenance for their minister, of all which they are to give an account to the next general court, and they to the governor, for his approbation.

“Signed, E. ANDROSS.”

Roads from town to town to be laid out. “Some convenient way to be made passable between town and town on this river; the manner of doing it to be ordered by the respective courts, and likewise the charges.

Ferry to be kept at the Falls. “That a ferry-boat be maintained and kept at the Falls, at the west side of this river; a horse and man to pay two guilders, a man without horse ten stivers.¹

“Strong liquors not to be sold to the Indians less than two gallons, under penalty of five shillings sterling. No corn or grain to be distilled by the inhabitants of this place, river, or bay, penalty £5.

May 25. “Want of corn-mills and keeping in repair; the justices advised to examine and have them repaired; others to be built; tolls for grinding to be regulated; all mills, public or private, to be encouraged.”²

Wm. Tom. Complaints are made against William Tom by the inhabitants, who say he molests them in the enjoyment of the meadow lands next their plantations, claiming them on patent from Colonel Nicholls. A compromise is ordered.

May 15. Patents of lands to be recorded on the court books of the several jurisdictions; those who have taken up and settled on lands not yet surveyed and patented, to apply to surveyor-general, and have it done, and apply for patents. This order is given by Andross, at New Castle.³

A survey. This year Richard Seays, (called See on the records,) surveyed the “Bennet Farm.” The Seays were Huguenots.⁴

July 3. By letters received from Delaware, the governor and council are informed of a disturbance of the people there having taken place; “ordered, that some person be sent there about it, and with him two files of soldiers, or some force.”⁵

July 5. Arrived the ship “Griffon,” Captain Griffith, having on board John Fenwick, three daughters, and the husband and children of two of them, and ten servants; also, the wife and

¹ New Castle Records, p. 51, lib. A.

² Ibid.

³ New Castle Records, in Breviat.

⁴ Foote's Address to Drawyers' Church, in 1842.

⁵ Albany Records; Council Minutes, vol. iii. p. 46.

child of John Pledger, who had arrived in the first vessel, and others. Smith mentions Edward Champness, Edward Wade, Samuel Wade, John Smith and wife, Samuel Nichols, Richard Guy, Richard Noble, Richard Hancock, John Matlack, and others, some of whom have been mentioned as in the first ship, which Smith says this was. No other vessel is mentioned as arriving for two years. They landed near where Salem now stands, and made there a settlement. Soon after his arrival, Fenwick purchased from the Indians their right and title to all the lands now known as Salem and Cumberland counties. The first purchase was within Salem and Old Man's Creek, the second within Salem and Cohanzey, and the third from Cohanzey to Morris River. Fenwick considering himself as still possessing rights in the province, left London with a number of settlers, and proceeded to divide the lands, and make grants, and claimed authority as chief proprietor, in which he was soon opposed by Andross.¹ (June 25.)

1675.

July 5.
Arrival of
ship Griffon
with John
Fenwick, &c.
on board.
Purchases
from the In-
dians by
Fenwick.

The order of 23d of June is "respited," about the disturbance at Delaware, and an order passed that a special warrant be sent thither for Jacob Fabricius and John Ogle, as ringleaders, to make their appearance here, (New York,) to answer the misdemeanours objected against them, touching the late disturbance.

August 3.

A warrant
issued
against J.
Fabricius.

Two special warrants issue, signed and sealed by Governor Andross, against Fabricius and Ogle, reciting that the governor had received information from the magistrates on Delaware, that they were principal ringleaders in the tumultuous disturbance upon 4th June last, at the town of Delaware, and had disobeyed the order set forth by the magistrates, in a riotous manner; commanding them therefore, in the king's name, forthwith to make their personal appearance before the governor, in New York, to answer what may be objected against them on that account, as they will answer the contrary at their utmost peril.

August 5.

Governor Andross confirms a patent granted by Lovelace on 26th February, 1671, to Robert Tallant, for 400 acres of land on south-east side of Apoquinimy Creek, "and reciting divers mesne assignments thereof, down to Bezaliel Osburne, in fee." Quit-rent reserved to duke of four bushels wheat. "This is the *first* grant of land which we have, made by

August 5.
First grant
of land by
Andross.

¹ Johnson, p. 14. Smith's N. J. p. 79. Mulford, p. 167.

1675. Andross : as it happens to be entered at full length, it shows the form of his grants."¹

August 7.

Dispute
about a mea-
dow between
Carr and
New Castle.

A letter signed by M. Nicholls, to Cantwell, per governor's order, speaks of "Captain Carr's meadow and land near the town, now upon sale, and in dispute betwixt the town and particular persons." The court to make a return to the governor, whether it was ever enclosed or improved, particularly since Carr had it; in the mean time, to remain as it was the last seven years of the English government, before the Dutch took the place, in July, 1673.

Warrants
against Fab-
ricius and
Ogle.

Sept. 25.

Fabricius
again sus-
pended from
his ministry.

Two special warrants are sent for Fabricius and Ogle; the other persons charged as ringleaders are to appear before next court.²

Fabricius being directed, by special order, to make his appearance before the governor at New York, to answer a complaint made against him by the high sheriff and court at New Castle; (Ogle falling sick, appeared not;) it is ordered, "that Fabricius, in respect of his being guilty, and his former irregular life, be suspended from exercising his functions as a minister, or preaching any more within this government, either in public or private."

Meadow to
be pur-
chased from
Indians.

Dykes.

Captain Carr's meadow having never been enclosed nor purchased from the Indians, ordered, that it be purchased in the duke's name, meantime to remain a common.

Order of court for making dykes at New Castle confirmed, the out people to have like commonage of the meadow adjoining the dykes they helped to make.

Block-house,
court-house,
and prison
at New Cas-
tle.

October 3.

Purchase
from In-
dians near
the Falls of
Delaware.

Ordered, that the block-house at New Castle be removed, and built on the back side of the town, about the middle of it, at or near the old block-house, wherein there may be a court-house and a prison.

A purchase is made, in the name of Edmund Andross, for the duke, from Mamarackickan, Auricktan, Sackoquewano, and Nanneckos, "the true sachems and lawful Indian proprietors of all that tract of land on west side of Delaware, beginning at a creek next to the Cold Spring, somewhat above Mattinicum Island, about eight or nine miles below the Falls, and as far above said falls as the other is below them, or further that way, as may be agreed upon, to some remarkable place, for the more certain bounds; as also all the islands in Delaware River, within the above limits, below and above the

¹ N. Y. Records, in Breviat, p. 42.

² Ibid.

Falls, (except only one island, called Peter Alricks's Island,) together with all lands, soils, woods, &c., without any reservation of herbage or trees, or any thing growing or being thereon; consideration, a certain sum of wampum, and other goods to them in hand paid." The deed is witnessed by twelve Christians, and with it is a schedule of the goods;¹ viz. 60 fathoms wampum, 6 duffile coats, 6 blankets, 6 coats of dingam, 6 shirts, one-half anker of powder, 6 guns, 6 shovels, 30 axes, 50 knives, 2 ankers of rum, 50 looking-glasses, 50 hoes, 20 pair stockings, 10 pair shoes, 100 tobacco pipes, 1 pound of paint, 100 awls, and 100 jew's-harps.²

In expectation of a quarrel with the Indians, Governor Andross offers his friendly aid to the governor of Maryland.

Various grants of land are made by Andross, on George's Creek; near "Whorekill on Rehoboth Bay," showing that "Whorekill" is the name of a district; "on Skillpades-kill, extending out of Christina Creek;" to Morris Liston, on fork of Cedar Creek, 150 acres; Apoquinimy and others, in parcels of 150 to 1280 acres; quit-rent, one bushel of wheat per 100 acres.³

The council at New York taking into consideration a letter from Captain Cantwell, "concerning the arrival of Mr. Fenwick and others at Delaware, with their pretences, resolved, that Mr. Fenwick having no order, (which, if he had, ought to have been brought first and recorded here,) is not to be received as owner or proprietor of any land whatever in Delaware, but to be used civilly, paying all duties as others his majesty's subjects in those parts; and if he, or any of the persons that come with him desire land to the westward, that there be assigned them fitting proportions as to others, and due return made of the surveys."⁴

"As to any privilege or freedom of customs, or trading on the eastern shore, none to be allowed in any case, to the smallest vessel, boat, or person."

"The magistrates and chief officers are to be very careful that there be no abuse committed on the eastern shore, under any pretence whatever, contrary to the above."

"As to the customs, New Castle to pay but as New York, 2 per cent., &c., but above the town, or any other place in the bay or river, except Whorekill, to pay the addition of

¹ N. Y. Records, in Breviat, p. 42.

² Gordon, p. 37.

³ N. Y. Records, in Breviat.

⁴ New Castle Records, p. 41.

1675. 3 per cent., as per regulations. By order of governor and council. MATTHIAS NICHOLLS, jun."¹

Dec. 20. The governor of Maryland was engaged in war with the
War be- Susquehanna Indians. Governor Andross writes him on the
tween Mary- subject. Cantwell is directed by Andross to comply strictly
land and In- to his directions, in case of Fenwick and the customs as at
dians. New York.²

Andross's The Indians are wavering. Andross directs, "be just to
directions. them;" he will send supplies; recommends moving the block-
house to the middle of New Castle, as he showed him when
there, so as to command both ends."³

Origin of Soon after Fenwick arrived, when he and several others
Friends' of the denomination of Friends had settled themselves and
meetings at families at Salem, they resolved to associate together, and
Salem. organize a meeting, to be held in the town twice in every
week, for divine worship, and once in each month for church
discipline. Among these associators were John Fenwick,
Robert Zane, Samuel Nicholson, Edward Wade, Samuel
Hedge, John Thompson, John Smith, and Richard Guy.
During the first five years, they held their religious meetings
in private houses; in 1680, they purchased a house and fitted
it up for their better accommodation; in 1700, they erected
a brick house."⁴

William Ed- This year, William Edmundson, a public Friend, visited
mundson New Castle and Upland, where they attended meeting at
visits the Robert Wade's house, being first day of the week, and where
Delaware. meetings were regularly established, Wade and others hav-
ing arrived this year.⁵ After meeting, they went in a boat
to Salem, where they met with Fenwick and other families
of Friends who had just arrived from England; next day
they went to New Castle, where they met their horses; they
there found it difficult to be entertained, the inhabitants being
chiefly Dutch and Finns, and addicted to drunkenness, who
refused them, though they had money. They applied to the
chief magistrate, Cantwell, to complain that they could not
procure lodgings even for money, who commanded the keeper
of an ordinary to receive them, and himself promised him
any thing he needed. William Edmundson next morning
proceeded with R. Wade and another friend, on their journey
to Maryland.⁶

¹ New Castle Records.

² N. Y. Records, in Breviat, p. 43.

³ Ibid.

⁴ Johnson, p. 98.

⁵ Proud, vol. i. p. 218.

⁶ Smith's Penns. in Reg. Penns. vol. vi. p. 183.

In this same year originated also the Baptist church at Cape May, "from a vessel which put in there from England, with emigrants, some of whom settled at the cape. Among these were two Baptists, named George Taylor and Philip Hill. Taylor kept a meeting in his house, and with his exhortations, reading the Bible, expounding, &c., enlightened some in believers' baptism. Taylor died in 1702, and Hill continued the meeting till 1704, when he died. Neither of them were ministers."¹

1675.

Origin of
Baptist
church at
Cape May.

Governor Andross, by commission, authorizes Caspar Harman to bring in from the woods adjacent to Apoquinimy and Landwerdin, all wild and unmarked cattle, hogs, and horses, not having a known owner, to the chief officer, and paying one-third of the value to use of his royal highness, the other two-thirds for his pains and trouble.²

Dec. 24.

Governor grants to Peter Bayard a parcel of land called Bombay's Hook, on west side of Delaware, on mouth of Duck Creek, containing 600 acres; quit-rent to duke, six bushels of wheat.³

Dec. 25.

1676.

A renewed execution recites that Jeuffro Armigart Printz, of Upland, obtained a judgment at the assizes in New York, in 1672, against Andrew Carr and Priscilla his wife, for a sum for which a special warrant of execution was granted, but the same was not fully effected; at her request that the former execution may be renewed, the governor requires Sheriff Cantwell to proceed according to said judgment in what remains unexecuted.

January 22.

Judgment
renewed in
favour of
Mrs. Pappe-
gay against
Carr.

There are various grants of land by Andross, about this time, in New Castle, and on the river below it; one to John Edmundson, of land formerly granted by Governor Nicholls, August 1, 1668, to Thomas Woolaston and others, in White Clay kill, near Christina kill, 800 acres of woodland, besides valley, which now, by "mesne assignment," came to Edmundson, and is granted in fee by Andross; quit-rent, eight bushels wheat.⁴

January 25.

Grants of
land.

At a meeting held by the commander and justices at Upland, upon the news of the Seneca Indians coming down to fetch the Susquehanna, &c., it was concluded, upon the motion

March 23.

Number of
Indians at
Shackamax-
on.

¹ Morgan Edwards's History of Baptists, vol. ii. p. 38. Johnson, pp. 84.

² New York Records, in Breviat.

³ New Castle Records, at length, Breviat. ⁴ N. Y. Records, in Breviat.

1676. of *Rinowehan*, the Indian sachamore, for the most quiet of the river, that Captain Collier and Israel Helm go up to Shackamaxon, (where at present a great number of Seneca and other Indians are,) and that they endeavour to persuade the Senecas, the Susquehannas, and these river Indians, to send each a sachamore or deputy to his honour the governor, at New York, and that Justice Israel Helm go with them to hear and receive his said honour's resolutions, and answer to their demands."¹

April 4. Andross grants to Jurian Hartsfelder, 350 acres, on the south-west side of "Cohocktinks' Creek;" quit-rent, 3½ bushels wheat. This was, after about ten years, sold to Daniel Pegg, and is the ground on which now stands the Northern Liberties.² (March 23.)

June 4. An injunction is granted by Andross, in New York, upon a *petition in equity* to him, to stay execution on a judgment obtained at law, in the court of New Castle, by William Tom against Hendrick Jansen; on Jansen's giving security to make good his complaint, execution to be suspended, and all proceedings, writings, and proofs to be transmitted to New York for a final determination in equity.³

July 11. By "an indenture *quintipartite*," so called from the persons engaged in it, viz. Sir George Carteret, on the one part, and William Penn, Gawen Lawrie, Nicholas Lucas, and Edward Byllinge, on the other, a division of the territory different from that made by second grant of Duke of York took place, dividing the province into East and West Jersey. After this division, Byllinge and his trustees reconveyed the share that had belonged to Fenwick, giving it to Eldridge and Warner in fee, and they were thus admitted as proprietors. Fenwick complained of his lessees, and directly accused William Penn and his associates of having concerted a plan to deprive him of his property and rights.⁴ (July 1.)

August 28. Three persons were appointed as commissioners, by Byllinge and his trustees, and Eldridge and Warner, with authority to act, under instructions, for their constituents, to endeavour to remove the difficulties with Fenwick, and have the lands divided as intended by agreement between Fenwick and Byl-

¹ Upland Records, p. 72.

² N. Y. Records, in Breviat, p. 44. Watson, vol. i. p. 439.

³ N. Y. Records, in Breviat, p. 45.

⁴ Mickle, p. 30. Mulford, pp. 170—171.

linge, if not to let it be known that Fenwick had not power of the persons or estates of any, nor authority to act without consent of Eldridge and Warner. The commissioners were authorized to purchase and take up ninety parts for use of Penn, Lawrie, and Lucas, and ten for Eldridge and Warner. Fenwick continued to assert his rights as proprietor, in regard to property and government, the commissioners therefore published the facts, but their authority was soon superseded by the proprietary government.¹ 1676.

The governor and council of New York, on petitions of Laurence Caroli, of Delaware, concerning a mare, and another for selling strong liquors to Indians, in which Carolus was cast at the court of New Castle, and appealed to New York for relief, order that the petitions, proceedings, judgment of court, and attestations delivered in at New York, be sent to the court at New Castle, who are to return them back, with their answer, to the governor, and in the mean time, execution be stopped. August 5. Appeal from New Castle to New York.

On a complaint of Peter Gronendyke, of Whorekill, of wrong done him by the court there, in a suit for some tobacco, where complainant was cast, and the president of the court, and six of seven of the jury acknowledged their proceedings erroneous, and desired their verdict might be annulled, and yet the president gave out afterwards execution against complainant; it is ordered, on complainant's giving security, that the president of the court, some of the jury, and the prosecutor, appear at next general court of assize at New York. Another from Whorekill; jury and court convinced of error.

Captain Cantwell is ordered to endeavour to make up a contest between Maryland and the Susquehanna Indians, and acquaint the governor of Maryland thereof.² August 7. War between Maryland and Susquehanna Indians.

The governor grants a pass at New York to a Frenchman, by name John Turcoat, and four or five of his countrymen, to proceed "to Delaware River or Bay, and the south parts thereabouts, being intended to hunt *that way* and return again."³ August 20. Pass to a Frenchman.

Captain Cantwell to be "checked" for raising so rash an alarm at Delaware, but nevertheless to inquire the meaning of the Susquehannas coming in.⁴ August 21. Susquehanna Indians create alarm.

John Collier is commissioned by Governor Andross "to be commander in Delaware Bay and River; you are therefore to Sept. 23.

¹ Mickle, p. 30. Mulford, pp. 170—171.

² N. Y. Records, in Breviat, p. 45.

³ Ibid.

⁴ Ibid.

1676. take care that the militia in the several places be well armed, duly exercised, and kept in good order and discipline, and the officers and soldiers thereof are required to obey you as their commander, and yourself to observe such orders and directions as you shall from time to time receive from me or other your superior officers, according to the rules and discipline of war, and the trust reposed in you."¹
- Commission to John Collier, as commander and receiver of quit-rents and of customs. Captain Collier is also appointed sub-collector of customs at New Castle, and receiver of the quit-rents or other revenues there, and on the river and bay.
- Oct. 3. Peter Cock, Peter Rambo, Israel Helm, Laes Andriesson, Wolle Swain, and Otto Earnest Cock, are appointed justices of the peace in the jurisdiction of Delaware River and dependencies; any three or more to be a court of judicature for one year.
- Justices of Delaware River and Bay. John Moll, Henry Ward, William Tom, Foppe Outhout, John Paul Jaquet, and Garrel Otto, justices of the peace for New Castle and dependencies; any three or more to be a court of judicature.
- Justices of New Castle. Ephraim Herman, clerk of the courts of New Castle and Upland; and on 10th October, the oath of office being administered, by *dedimus*, by Captains Cantwell and Collier, to the justices of New Castle, they are established in their places.²
- Clerk of court. Oath administered. Governor Andross directs Captain John Collier "to go to Maryland, either from Whorekill or Delaware, about making up a difference which Maryland had with the Susquehanna Indians; then return to New Castle." He is to prevent all interlopers or irregular traders, contrary to law and the privileges and inhabitants of New York and New Castle; keep due accounts of customs and all other public revenues; render accounts every three months.³
- Collier to go to Maryland. Indians. Instructions. Governor Andross, by letter, advises governor of Maryland "to a friendship with the Susquehanna Indians."
- Sept. 25. Captain Cantwell is fined 200 guilders, to use of the king, on complaint of Captain Hans Juriansen, for abusing and striking him in his own house, and "both parties to lay by all animosities for the future."
- The following instructions were given by Governor Andross, respecting courts and other matters on Delaware:

¹ New Castle Records, p. 5. Reg. Penns. vol. iv. p. 56.

² Ibid.

³ Ibid.

"Whereas the last year, at my being at Delaware, upon application of the inhabitants, representing that my predecessor, Governor Lovelace, had begun to make a regulation for the due administration of justice according to the laws of this government, pursuant to which I did appoint some magistrates, and make some rules for their proceedings, the year ensuing, or till further order, in which having maturely deliberated, by the advice of my council, made some alterations in form following :

1676.

Sept. 25.
Governor
Andross
makes some
alterations
respecting
courts, &c.

"1st. That the books of laws established by his royal highness, and practised in New York and Long Island, be likewise in force and practice in this river and precincts, except the constable's courts, county rates, and some other things peculiar to Long Island and the militia, as now ordered to remain in the king, but that a constable be yearly, in each place, chosen for the preservation of his majesty's peace, with all other powers as directed by law.

New York
laws to be in
force here,
with certain
exceptions.

Constables.

"2d. That there be three courts held in the several parts of the river and bay, as formerly, viz. one in New Castle, one above at Upland, another below at Whorekill.

Three courts
on the
river.

"3d. That the courts consist of justices of the peace, whereof three to make a '*coram*,' and to have power of a court of sessions, and decide all matters under £20, without appeal, in which court the eldest justice to preside, unless otherwise agreed amongst themselves. Above £20, and for crime, extending to life, limb, and banishment, to admit of appeal to the court of assizes.

Courts to
consist of
justices.
Quorum.
Powers.
Under £20
no appeal.

"4th. That all small matters under the value of £5, may be determined by the court without a jury, unless desired by the parties, as also matters of equity.

No jury
under £5.

"5th. That the court for New Castle be held once a month, to begin the first Tuesday in each month; and the court for Upland and the Whorekill quarterly, and begin the second Tuesday of the month, or oftener if occasion.

Time of
holding
courts.

"6th. That all necessary by-laws or orders (not repugnant to the laws of the governor) made by said courts, be of force and binding for the space of one whole year, in the several places where made, they giving an account thereof to the governor by the first opportunity, and that no fines be made or imposed but by order of court.

Orders of
courts to be
binding.

"7th. That the several courts have power to regulate the

1676.

court and officers' fees, not to exceed the rates in the book of laws, nor to be under half the value therein expressed.

High sheriff
and two un-
der sheriffs.

"8th. That there be a high sheriff for the town of New Castle, river and bay, and that the said high sheriff have power to make an under-sheriff or marshal, being a fit person, and for whom he will be responsible, to be approved by the court; but the sheriff, as in England, and according to that now practised on Long Island, to act as a principal officer for the execution of the laws, but not as a justice of peace or magistrate.

Books for
record.

"9th. That there be fitting books provided for the records, in which all judicial proceedings to be duly and fairly entered, as also publicly orders from the governor, and the names of the magistrates and officers authorized, with the time of their admission; the said records to be kept in English, to which all persons concerned may have recourse at due and seasonable times.

Clerk.

"10th. That a fit person for *clerk*, when vacant, be recommended by each court to the governor for his approbation, in whose hands the said records are to be kept.

Writs, &c. to
be in name
of his ma-
jesty.

"11th. That all writs, warrants, and proceedings at law shall be in his majesty's name, it having been practised in the government ever since the first writing of the law book, and it being his royal highness's special pleasure and order.

No rates or
levies with-
out gover-
nor's appro-
bation.

"12th. That no rates be imposed, or levies of money made within the town of New Castle, river or bay, by any, under what denomination soever, without the approbation of the governor, unless upon extraordinary occasions, in case of necessity, of which the governor to have present notice and account sent him. That upon the levy of any rates, there be a fair account kept both of the receipts and disbursements, which account to be given in to the courts, there to be passed, and then sent to the governor, for his allowance, until which not to be a sufficient discharge.

Arbitrations
recommend-
ed in small
matters.

"Whereas, by this regulation, there are no overseers appointed, no constables' courts, but all matters to be determined by the justices, I do therefore recommend the compo-
sure, or referring to arbitration, of as many matters, particularly under the value of £5, as may properly be determined that way, provided it may be by consent of parties.

"That any person desiring land make application to the court in whose bounds it is, who are required to sit once a

month, or oftener, if there be occasion, to give order therein, 1676.
 certify to the governor for any land not taken up and im-
 proved, fit proportions, not exceeding 50 acres per head,
 unless upon extraordinary occasions, where they see good
 cause for it, which certificate to be a sufficient authority or
 warrant for the surveyor to survey the same, and with the
 surveyor's return to be sent to New York for the governor's
 approbation. That in the certificates be specified how much
 upland and meadow, with due regard that each may have a
 proportionable share, according to the place they are in,
 landward. Given, &c., September 25, 1676, at New York.

Course to be
 pursued
 when lands
 are wanted.

"E. ANDROSS."¹

A special court does not consider a verbal commitment by Captain Billop lawful, he having no commission. Sept. 26.

About this time, it would thus appear, that the courts were more completely organized, although, as has before been stated, courts of some kind had been held as early as 1675, probably earlier, as it is said above, that "Lovelace had begun to make regulations for the due administration of justice." It is to be regretted that their early minutes are not at present to be found. The only records that we have seen are those of New Castle, commencing October 10, 1676, and of Upland, November 14, 1676. As allusions are made in the "Breviat" to those of Kent and Sussex, they were no doubt in existence in 1735, at the trial between Penn and Lord Baltimore. As the courts took cognisance of all matters relating as well to church as state, they furnish many facts which would otherwise have been lost, and of which, for a few years, we shall avail ourselves. It appears they exercised jurisdiction over both sides of the river; from them appeals were made to the courts at New York, and occasionally from these to those on the Delaware.

A special warrant against Major Fenwick is directed, by the governor, to Edmund Cantwell, sheriff, reciting that Major Fenwick "pretends to be proprietor of the east side of Delaware, and has acted accordingly, granting lands, dispossessing persons, selling their lands, arrogating power of judicature, and giving out licenses for distilling, contrary to the order settled in the river, whereby he has wronged some persons from other parts, and distracts the minds of the inhabitants Sept. 25.

Complaints
 against Ma-
 jor Fenwick.
 To be sum-
 moned to
 New York.

¹ Upland Court Records; held by authority of Charles II., commencing Nov. 14, 1676, (in possession of Albanus Logan, Esq.)

1676.

throughout the whole river and bay, not having any lawful power and authority." Sheriff is to repair to the other side, inquire into the truth, and forewarn the people of their danger; if Fenwick has thus acted, summon him, in his majesty's name, to appear and answer before the governor and council at New York, at his utmost peril. In case of opposition, all his majesty's subjects are to aid.

October 26.

Helmanus Wiltbank, Edward Southerne, Alexander Moles-tyn, John King, and Paul Mush, are commissioned as justices of the peace, at Whorekill and dependencies, (three to be a court,) for one year or further order. John Avery is appointed captain of a foot company, and John Roach, ensign.¹

Nov. 8.

Petition of
the magis-
trates of
New Castle
to governor,
relating to
several mat-
ters.
Vessels going
up and
down, &c.

The justices of New Castle refer various matters to the governor's consideration, and petition for a remedy. They ask him to remove from the law book all that does not relate to this river; they think it will be burdensome to the militia to watch; they ask for a lesser seal for their offices, as it is inconvenient to send papers and instruments to neighbouring colonies; want a prison for debtors, fugitives and malefactors, who often escape; propose 40 guilders for wolf scalps. Lastly, they "are constrained to ask, that in case of sloops and vessels be henceforth permitted to go up and down the river, trading with the people, and getting all the ready and best pay, (as they now do,) that this place will in a short time be deserted, and come to nothing, which then will make this river as bad as Maryland, for the merchants and traders here duly supply the people their wants in the summer, trusting to be paid out of the crop they are putting by. The said sloops and vessels little regarding the 3 per cent. customs, inconsiderable, as now the ketch and sloop are both gone up, (taking the opportunity of Captain Collier, going to him and C. Clark, whom he had deputed in his absence;) went up the river without clearing or paying any custom at Whorekill, which quite disheartens the people and new-comers here; wherefore we, in all humility, entreat your honour, (considering necessity first,) to prohibit the going of vessels whatsoever up the river, up and down the river and bay, on said account, as it was in the time of your honour's predecessors, and that likewise this town, as being the only medium and best place, may be the only place of loading and unloading, and keeping of stores for all merchandise; and that your honour will please

¹ New Castle Records and Breviat.

to order a public weigh-house and storehouse to be erected, which will very much encourage tradesmen and merchants to resort hither; this place will not only be populated, but also the whole river will thrive by it."¹ 1676.

The justices ask the governor to confirm the order of the last court about wolf scalps, and inquire how the court charges are to be made when the parties are not to be found; "considering that we live at great distances from said court place, and the amercements, (by reason of the small number of actions,) amounting to little, and that your honour will empower us, so that the old debts of the court, together with the debts since your government, may be satisfied." Nov. 14. Little business for the courts.

Israel Helm, who has often been employed by Captain Cantwell as interpreter with the Indians, applies for recompense. Also, Neills Laerson, "for expenses of keeping court, and justices' diet."

"Several letters being read concerning Major John Fenwick's actings in New Jersey, on east side of Delaware, by his granting patents, refusing to obey the governor's special warrants, &c., resolved, it importing the king's service, and good and quiet of these parts and inhabitants, that he be sent for with the first convenience, and if there be occasion, that the commander and magistrates at Delaware do use force for seizing and sending him hither." Nov. 30. Major Fenwick to be seized.

"Upon complaint of John Paul Jacquet, that he is dispossessed by Major Fenwick, ordered, that said John Paul Jacquet be repossessed of what land he was in possession of on the east side of Delaware River."

"The court to take order about it, and if occasion, the commander to assist them."

"There being no lawful authority for Major John Fenwick's giving them patents, it is not thought fit to return them, but the persons to have their remedy at law."²

The governor writes to the commander and court at Delaware, in answer to theirs of the 8th, as follows: Dec. 3.

"I have received your letters of the 8th November, by the express sent hither, with several other papers and writings relating unto Major John Fenwick's actings on the east side of Delaware River, by his granting patents for land, and refusing to obey my special warrant, &c.; as also touching your more particular affairs; whereupon, having taken advice Major Fenwick to be taken by force, and sent to New York. Has no right to issue patents for land.

¹ New Castle Records. ² Albany Records; Minutes of Council, vol. i.

1676. of my council, I have thought fit, (it importing his majesty's service, and the good and quiet of those parts and inhabitants,) that Major John Fenwick be sent hither with the first convenience, and if there be occasion, that the commander, and you, the magistrates, do use force for seizing upon and sending him; and there being no lawful authority for his giving forth patents for land, those sent hither are not to be returned back for the present, but the persons who have paid their moneys for them may have their remedy at law against the person that gave them, before he depart out of custody.

Jean Paul Jaquet to be repossessed of lands. "As for Jean Paul Jaquet, who hath been dispossessed of some land on the east side of Delaware River, of which he was in possession at the last coming in of the English government, he is to be repossessed, and you are to take order about it, and if occasion, the commander is to assist therein.

Watch at New Castle. "The inhabitants of the town of New Castle, (and within a mile thereof,) are to keep watch, but none to be obliged to come to it further; as to the proposals about soldiers to be sent for it, the same shall be taken into consideration.

Seal. Magistrates to use their own. "A public seal shall be provided against next year; in the mean time, magistrates to use their own seals, 'as is usual for justices of the peace everywhere.'

"You may cause a prison to be built in the fort, and the sheriff is to be responsible for prisoners.

Wolf scalps. "Order for killing wolves is confirmed.

"Fines for the current year, and for two years last past, (since the English government,) are to go to be applied to public uses, sheriff to receive five shillings in the pound for collecting and levying; extraordinary charges to be allowed by court. A levy authorized of 1*d.* per £ on every man's estate, towards paying public expenses. Care to be taken that no vessels go above New Castle to trade. A weigh-house allowed at New Castle, and an officer to be appointed and sworn. The Susquehannas to be treated in a friendly way, if they apply."¹

Dec. 18. Proceedings against Fenwick. "At a meeting of the commander and justices, held for town of New Castle, Friday, 8th December, 1676, present, John Collier, commander, John Moll, William Tom, Foppe Outhout, and John Paul Jaquet, justices—Captain John Collier, by his speech, declared to the court, that in pursuance of his honour the governor's orders to him, he had, on the

¹ New Castle Records.

4th past, sent a friendly and civil letter, with the under-sheriff, to Major John Fenwick, showing that he had received orders from his said honour, and desired him to come to New Castle, upon which the said Fenwick sent a letter in answer, refusing to come, &c., as by the said letter, produced in court, more plainly did appear; further declaring that he, the said Captain Collier, had been, in his own person, on the 7th past, with the said Fenwick at his house, where coming, none of his company were suffered to come in the house but himself, when he delivered to the said Fenwick in substance as followeth:

1676.

Dec. 18.
Proceedings
against
Fenwick,
continued.

“That he the said Collier had not questioned, but according to his letter sent the 4th past, but that he would have come over with the under-sheriff, or at leastwise have sent a more satisfactory answer, but since he the said Fenwick still stood out, by which he had given him the trouble to come over in person, did therefore give him to understand that it was his honour the governor’s order to have him the said Fenwick to come and appear before him and council at New York, which long before he had understood by his said honour’s special warrant sent to him, and therefore desired him now, in all civility, without further trouble, to obey the said orders, there being now a fit opportunity for his going.

“Upon which Major Fenwick replied, that he did not know that the governor of New York had any thing to do with him, and that he would obey nothing but what should come from his majesty the king, or his highness the Duke of York, and was resolved not to leave his house without he was carried away, either dead or alive, and if any one durst come to take him, it was at their peril, and he would do their business; and after the said Captain Collier went out, suffered him not to come in again, but keeping his door double-bolted, spoke to him out of a small scuttle-hole at the end of the house.

“Captain Collier declaring further to the court that he, seeing that the said Major Fenwick was, and continued so refractory, and stood upon his defence, and further considering that the magistrates, by his honour’s order, were equally in the business concerned with him, thought best to take their advice before he would proceed to rigour, which was now the occasion of calling this court, &c.

“The court having considered and maturely deliberated

1676. upon the orders from his honour the governor to them, and also the orders from his honour the governor to Captain John Collier in particular, do judge it necessary, since the said Fenwick, in contempt of his honour's orders, stands out upon his peril, that force be used, and he the said Fenwick taken and sent to York to his honour, with the first sloop; for the doing whereof they are willing to give forth their warrants, &c."

Proceedings
against
Fenwick,
continued.

"The warrant given forth by the commander and justices for the apprehending of Major Fenwick:

Dec. 18.

Warrant for
his forcible
arrest, and
guaranty to
the men in
case of his
being killed.

"By the commander and court at New Castle, in Delaware—These are, in his majesty's name, to empower and appoint you, Lieutenant Johannes De Haes, Mr. Michael Baron, and Mr. George More, under-sheriff of this place, to levy twelve soldiers out of any of the militia of this river, and with them to repair to the house of Major John Fenwick, and him the said Fenwick to bring by force before us, to this town of New Castle, upon Delaware, giving and hereby granting unto you, and every of you, full power and authority to pull down, break, burn, or destroy the said house, for the apprehending of him the said Fenwick, and further to act and use all or any forcible act or acts, as the expediency of the time shall offer to your judgments, withal giving and hereby granting to you, and every of you, and every respective soldier under you, full power, in case of resistance, or presenting of any gun or guns to your detriment, to fire upon him the said Fenwick, or any others so presenting, or intending to shoot; and if, in case he the said Fenwick, or any others resisting, shall happen to be killed, you and every of you shall be hereby absolutely and freely discharged, and held innocent, as being done in pursuance of the duke's lieutenant's order, and of his by his honour's order recommended. Given under our hands, at New Castle, in Delaware, this 8th day of December, 1676. Signed,

"JOHN COLLIER, FOPPE OUTHOUT,
"JOHN MOLL, JEAN PAUL JAQUET."¹
"WILLIAM TOM,

The result of this was that Fenwick yielded, and was taken prisoner to New York.

¹ New Castle Records, p. 35.

1677.

A suit is commenced at New Castle against a person for pulling down a house and destroying it, on the east side of the river. The court decides "that the defendant engage, in one month, to build on the same ground a better house, with windows and doors in the same, and pay costs of suit."¹

January.
Decision
about pull-
ing down a
house on
east side of
river.
Roads.

A highway to be cleared between New Castle and Apokinimy.²

Thomas Molestyn sworn in under-sheriff, marshal, and crier of the court.

Under-
sheriff.

"Resolved, by the commander and court, that a prison, with a dungeon under it, be built in the fort, with all expedition. Also a weigh-house to be built with the like expedition, in some convenient place near the water side; the manner of building the same is left to the contrivance and ordering of Captain John Collier and Mr. Moll."³

February 18.
A prison
and dun-
geon to be
built at New
Castle. Also,
a weigh-
house.

The court at New Castle ask for further powers; they say that some of the watchers will fall within, and some without the mile; those within will complain if those just outside do not watch; *Swanewick* is within the mile. "As to the levy of 1*d.* in the £, the people live so far distant, and their estates, for the most part, so inconsiderable, that we can find no convenient way to discover the value of their estates, and if discovered, to bring it in a valuable manner to receive." They propose to the governor to allow of a levy to be laid by the poll, as those of Virginia and Maryland. Ask that wills may be proved before court or commander, and they grant letters of administration, with the fees, as estates are generally too small to bear expense of going to New York; liberty to nominate vendue master, or authorize court. Also that the valley above the town, lately belonging to John Carr, &c., by his honour given to the town for a common, may be a stinted common, to be shut up the 1st of May, and opened again the last of July, and that every individual burgher have his equal share therein, and their parts being laid out, the surveyor then to draw lots for their share, and no man put in more than another; likewise that all persons who shall be concerned in said common, be obliged to maintain the dyke and fence, with the sluice, and keep them in repair; and if any one refuse, then to lose their said commonage." That

Court ask
various pow-
ers.
Watchers.
Levy, 1*d.*
per £.
Poll-tax.
Common.
Persons not
to go to east
side without
tickets.
Penalty.
Susquehan-
na Indians.

¹ New Castle Records, p. 10.² Ibid. p. 46.³ Ibid. p. 70.

1677. an order be set forth, forbidding transporting or lending a vessel to any strange persons, to go over to the east side of this river, without a ticket from a magistrate, as also servants, upon penalty that every such person so setting over or conveying any person who shall be a fugitive and in debt, shall be liable to make good the debts, and if a servant, make good the time of his servitude to the master. "Your honour may be pleased to consider that if such order be not made, (when the alteration of the government cometh on the other side,) we shall not be able to keep any servants on this side." Lastly, respecting justices' courts, (if only one,) to make up levies.¹ "The Susquehannas have not been here, but passed up on the back side, and went up the river." This letter is signed by Ephraim Herman.²

Marks of cattle are now recorded.

Apr 13 & 14. A suit, in which Stephen Juriansen is plaintiff, and Major John Fenwick, defendant, for attachment upon defendant's effects for £6:

Suit against Fenwick for selling land, having no right to it. "The plaintiff declares that he was deceived by the defendant, who sold him land without having any right to the same, for the sum of £12, whereupon the plaintiff hath paid him £6, as by the defendant's receipt appears, the plaintiff's bill remaining in the defendant's hands yet for the full £12, so that the plaintiff hath attached some part of the defendant's estate, desiring that the said attached goods might be put for sale, for the repayment of the plaintiff's £6, and likewise that the plaintiff might be, by order of court, cleared of his bill in the defendant's hands.

Fenwick in prison at New York. "The court orders, that since Major Fenwick is as yet a prisoner in New York, action shall be suspended until next court. In the mean time, the bill to be allowed, and the plaintiff's attachment to be preferred, and in case the defendant do not make defence, either by himself or attorney, at the next court, then it will be taken into further consideration."³

Several other suits, of the same nature, against him, are suspended for the same reason; and again, in June 6th, and September, on 26th of which month the plaintiffs declared they had agreed with defendant.

April 14. "*Emilius De Ringh* complains to the court, at New Castle, that a number of persons, of whom he furnishes a list,

¹ New Castle Records, p. 72.

² Ibid. vol. A. p. 72.

³ Ibid. p. 77.

had promised to contribute to his maintenance as a *reader* in the Christ Church, (New Castle,) with an order of court, May 10, 1675, and another of November 11, last past, and that, notwithstanding, he cannot receive his promised maintenance; the court confirm the order to the sheriff to levy the money of *the unwilling*, by distress."¹

The Upland court was held at Niels Laersen's house; the expenses were 100 guilders.²

Governor, in answer to their petition of 8th February, orders the court that none watch in the town or fort but such as live in or near it, unless on alarm or extraordinary occasions. Poll-tax to be laid, and fines granted for public charges. Courts to grant administration under £20; above, to be recorded in New York; to recommend vendue-master; fees to be 6 per cent and a crier. The commons to be regulated by the town; persons leaving the government to set up their names where they live, and also in New Castle and New York; in default, and persons assisting their departure, to be liable to the penalty, and any servants, prisoner, or criminal, running away, to be pursued by hue and cry as usual. Liberty granted for sloops, &c. going up the river, as formerly, for this year's effects or debts. "Five guns, thirty hoes, and one anker of rum, the remainder of the pay for the lands at the Falls, to be forthwith paid to the Indians; the remaining part of the land betwixt the *old and new purchase*, as also the *island* called *Peter Alricks*, or so much as is not already purchased, (and the Indians will part with,) to be bought of them, for which Captain Israel Helm is to inquire for the owners, and if they will be reasonable, to bring them to the commander and court at New Castle, for agreeing, concluding, and confirming a bargain thereof."³

"At a special meeting of the commander and justices, held at New Castle, upon information of Colonel Coursey's coming with a considerable party of men, as an agent or ambassador going to New York." Mr. Dunston coming lately from Maryland, being sent in court and examined, declared upon oath, "that last Friday, he, the deponent, was at the house of Colonel Coursey, in Maryland, and heard then there that Colonel Coursey was to set out the Monday following, and that there was a report that a great many gentlemen, and

1677.

A reader of Christ Church sues for his maintenance.

March 23.

April 16.

Governor grants further powers to the court, regarding administration.

Poll-tax. Watching. Runaways.

Balance due Indians on purchase of land, to be paid. New purchase ordered.

May 25.

Alarm at New Castle about Col. Coursey. Soldiers ordered out.

¹ New Castle Records, p. 85.

² Upland Court Records.

³ New Castle Records, p. 115, lib. A.

1677. their attendants, were to come with him hither, and that they were warned to be ready against Monday aforesaid; and further saith not."

"The commander and court having received, by several persons, intelligence of the said Colonel Coursey's coming here, and not knowing certainly upon what account, thought it therefore necessary to order that Captain Cantwell summon his company of the militia to appear, with their arms and ammunition, on the morrow, at 7 o'clock, at the fort in this town, there to be upon their guard, and receive such further orders as shall be found necessary."

"It being further, by the commander and court, considered, that in case Colonel Coursey sends in and gives notice beforehand of his coming, and in what quality, he then be honourably received, and his charges borne, but if not, and that he comes in as a private person on surprisal, no notice to be taken, and he to quarter where he pleases."¹

Court appoints churchwardens.

"The court further considering that the late churchwarden, Martin Rosamond, being deceased, some fit persons ought to be appointed to supply and administer the said place of said churchwarden in this town of New Castle, have therefore thought fit to appoint Mr. Hendrick Williams and Mr. John Harman to be churchwardens, in the room of the deceased, for and during the space of one year next ensuing this date."²

May 29.
Order respecting pleading at torneys.

The governor and council "resolved and declared, that pleading attorneys be no longer allowed to practise in the government but for the depending causes." This order was for the second time read in open court, at Upland.³

Swedes' church built.

It is probable, that in compliance with the order of court in 1675, a church was erected this year at Wiccaco, and that the block-house built for defence against the Indians in 1669 was now fitted up for the purpose of worship. The first church is usually described as having "loopholes," and the early records show that the first church was erected this year.

Rev. J. Fabricius accepts the charge of Wiccaco church, and preaches his first sermon.

The Rev. Jacob Fabricius accepted a call to the Swedish church at Wiccaco, and preached his first sermon on Trinity Sunday; he preached in the Dutch language. He continued with them fourteen years, nine of which he was entirely blind.⁴

¹ New Castle Records, pp. 87, 88, lib. A.

² Ibid.

³ Upland Court Records, and New Castle Records, p. 133, lib. A.

⁴ Clay, p. 38.

This is probably the same gentleman whose name has already frequently before appeared; of course the order of suspension must have been withdrawn; his future conduct appears to have been very satisfactory. 1677.

John Mathews admitted as an attorney, and takes oath "not to exact unallowed fees, not to take fees from both plaintiff and defendant, and that he will not take any apparent unjust case in hand, but behave as all attorneys ought to do."¹ June 16. Attorney's oath.

The court "appointed Cornelis Post viewer and packer of tobacco in this town and precincts thereof; he was sworn accordingly; salary, in case he packs tobacco with the help of another to hand him, 3 guilders, and without help, 4 guilders per hogshead, and for receiving, 1 guilder, if good, and if refused, 10 stivers per hogshead."² June 17. Inspector of tobacco appointed. Fees.

In reply to the governor's answer of 6th April, which was now read, the court say, as to the watch, none live in the town but at Swanewick, and if they are exempted, most of the town will flee thither; they therefore ask for a small number of soldiers to watch the fort, who may be serviceable at all times to the commander and court, as formerly allowed, "for we humbly conceive there is no keeping a fort without soldiers." A levy by poll cannot be laid without a general meeting or high court of all the justices once a year; therefore they ask one for September. They appoint John Moll treasurer, and ask to have his fees fixed. "Don't forget the law book; there is great occasion for it." They thank the governor for the fines, but it will be difficult to collect them, unless the governor sends soldiers to assist the sheriff. Ephraim Harman is nominated vendue-master; his fees ought to be more than 6 per cent. They suppose vessels going up the river will always make the collection of debts a pretence.³ June 18. The court answer governor's letter. Ask for soldiers to watch. J. Moll, treasurer. Vendue-master.

Marshal's fees for watching a prisoner, per day, 5 guilders, until the prison be made up. Fees, &c.

The crier of the court to receive for every attorney admitted and sworn in court, 12 guilders, or have a beaver. New attorneys to pay crier twelve guilders.

Meeting called at fort 16th instant, to answer proposition concerning the "fly and commonage."

Hogs to be ringed, as they damage the fly and commonage, Several regulations.

¹ New Castle Records, p. 96.

² Ibid. p. 105.

³ Ibid. p. 115.

1677. under fine of 10 guilders; sucking pigs to be coupled; one-half to informer, and one-half to king.¹
- June 24. Jurien Hartsfelder resigns as under-sheriff, "he removing his living higher up the river." Michael Yzard appointed under-sheriff.
- Under-sheriff. Lacey Cock presents an account of expenses of commander and justices; as also for the *Indians at Shackamaxon*, from March 14 to 18, 1676; 250 guilders allowed.²
- Indians at Shackamaxon. Ordered by Upland court, that all declarations must be entered at least a day before the court, as then the clerk is to attend Upland.
- Court orders. Declarations. No person to be admitted to plead for any other person as an attorney in court, without he first have his admittance of the court, or have a warrant of attorney for his so doing, from his client.³
- Attorneys. Court allow E. Harman, as clerk, for his last year's services, trouble, and expenses, 200 guilders.
- Clerk's salary. Several grants of land asked for on Schuylkill, Neshaminy, and Poaquessing.⁴
- Grants of land. A person is fined 210 guilders for assault and battery; 60 to the clerk, and 150 to the sheriff; to ask forgiveness of the justice and the court for his offence, which was done. The court and sheriff gave up their share, "considering him a poor man, with a great charge of children."
- Case of assault and battery. Fine forgiven. The governor finding that Captain Collier, the commander, goes to and sits as judge in courts, orders him to forbear doing so; to act according to his *known* authority.
- August 7. Commander not a judge. In several cases, the jury brings in a verdict, and the courts gave a different judgment.
- Court proceedings. Captain Xerper (or Christopher) Billop is appointed sub-collector of customs on Delaware; his duty "is to see that nothing be in anyways imported or exported, but according to acts of parliament, or to make seizures, and due prosecution, and if condemned, one-third to the informer, one-third to himself, and one-third to the king. To report his proceedings to, and receive orders from the chief collector, or principal officers at New Castle, the only port for all entries and clearing."⁵
- August 23. Captain Billop, sub-collector of customs. Ephraim Harman is appointed clerk "of the permits, en-
- Clerk of permits.

¹ New Castle Records, lib. A. pp. 118—129.² Upland Court Records.³ Ibid. p. 27.⁴ New York Records, p. 46.⁵ New Castle Records. Reg. Penns. vol. iv. p. 57.

tries, and clearings for all duties of custom in Delaware River, for which Billop is sub-collector, salary, one-third of the king's or duke's one-third of forfeitures." He is also appointed collector of quit-rents in the jurisdiction of New Castle and Upland courts. 1677.

The governor issues an order requiring "all persons that have or claim any lands in Delaware River or Bay, to make," without delay, or as soon as convenient, a due return to the clerk of the court in whose jurisdiction the land lies, of the quantity and situation, according to surveys, &c.; court to return them to the governor, and "whether seated and improved," that those wanting patents may receive them. This order to be published in the courts, and they and the surveyor to see it observed.

Order of governor respecting applicants for patents for land.

Captain Christopher Billop is also appointed commander in Delaware Bay and River, with same directions about the militia as those to Captain Collier last year.¹

August 24.
C. Billop, commander.

By Captain Billop the governor writes to the justices, informing them of his appointments, and that he is, among other things, to "order guards and guard-places, as occasion may require, for the out-farms and plantations, and is sub-collector also." By Mr. Harman, the clerk, he sends the old records, the confusedness or ill order of which he can noways remedy, but that Mr. Tom, the then clerk, do forthwith put the same in order, and write, or cause them to be fairly copied in a fit book, and attested by him, and answer for any defects. Governor intends "making up your court again next month, the usual time, when you may expect one of our law books. As to the penal bonds, or such like cases of equity, it is the custom and practice of courts here to hear and judge thereof according to equity, which you may observe is allowed by law. I find no need of a general or high court in the river, every court having power to make fitting rates for the highways, poor, or other necessities, as is practised in England, and unless otherwise ordered by said court, the clerk proper to be receiver, and pay all by orders of court, for which you need no further authority or directions from the governor than former orders and rules for keeping due accounts, to be yearly examined and passed in court."

Letter to the justices.

Old records.

Respecting their courts. Cases of equity.

Authorizes them to appoint a vendue-master, he giving

¹ New Castle Records. Reg. Penns. vol. iv. p. 57. Upland Court Records, p. 33.

1677. good security, and not to take above 6 per cent. Take care and fitting orders for ordinaries, that there be fit persons, duly licensed and well provided, according to law, and that none else be admitted to retail.¹

August 24.
Walter
Wharton ap-
pointed sur-
veyor. His
fees. In-
structions.

Walter Wharton is appointed to be surveyor on Delaware River and Bay; allowed "to receive, for surveying every 50 acres and under, 10s.; above 50 and under 100, 20s.; above 100 and under 150, 30s., and so proportionably, and no more, giving to the persons for whom they are surveyed a survey plat and card, and making due returns to the office of records; said persons to find boat or horse, or allow it and other travelling fitting charges: all lands to be laid out from the water side, if it may be, or so as not to hinder any, or be prejudicial to adjacent lands, and to lay out fitting highways or convenient roads."²

Andross or-
ders pur-
chase of
lands from
the Indians,
near the
Falls.

The governor directs a letter to the "court" at Upland, in which he says, "these are to desire and authorize you to treat with the Indian proprietors for the purchase of a small tract of land which I am informed is not yet purchased, and is about half a Dutch or two English miles along the river side, betwixt the land and the late purchase up to the Falls, which done, I shall forthwith take care for settling those parts."³

Wood for
use of mills.

Owners of mill "on creek in Christina kill to have liberty of cutting wood for repairs."⁴

Constable
appointed.
Census.

A constable, Walter Rowles, is appointed, whose bounds are from south side of St. George's Creek to Bombay Hook, including Apoquinimy, and is ordered to take an account of tydables.⁵

Governor will fill up court at usual time next month, and then send the law book. "As to penal bonds, or such like cases of equity, you may judge thereof according to equity; no need of a high court." Fit persons to be appointed for ordinaries.

August 26.

Penn, and the other trustees of Byllinge, considering that the period had arrived to attempt a disposition of the lands in West Jersey, determined to appoint and send over commissioners empowered to purchase lands of the Indians, and attend to other necessary matters. Proposals were also made for the immediate sale of the lands, which soon were accepted.

¹ New Castle Records; Reg. Penns. vol. iv. p. 73.

² Ibid.

³ Upland Court Records, p. 51.

⁴ New Castle Records, lib. A. pp. 129, 134.

⁵ Ibid.

Among the purchasers were two companies of Quakers, one consisting of persons from London, the other from Yorkshire. The latter were principal creditors of Byllinge, and received lands for their debts. Two commissioners were chosen from each of these companies, viz. Thos. Olive and Daniel Wills, from the London, and Joseph Helmsley and Robert Stacey, from the other company, and to these were added Richard Guy, then in America, John Kinsey, Benjamin Scott, John Penford, and Thomas Foulke. All matters being prepared, they, with several of the proprietors, and their families and servants, about 230 souls, embarked in the ship Kent, Captain Gregory Marlow, and soon after proceeded to sea. On the 16th of August they safely arrived at New Castle, and soon after landed at Raccoon Creek, at a place where a few Swedes had erected some dwellings, not sufficient to accommodate so many persons, without resort to "cow-stalls," &c. The commissioners wishing to pay their respects to the governor at New York, landed elsewhere. Having no warrant from the duke, though they showed a conveyance from Berkley, and the governor claiming jurisdiction over the whole country, demurred to a surrender of it, though finally the commissioners agreed to the governor's proposal to take a warrant from him for the present, by which they were enabled to proceed, having joined the body of settlers. Three purchases¹ were made, by the aid of Israel Helm, Peter Rambo, Lacey Cock, and another, as interpreters, from the Indians, reaching from the Assunpink, on the north, to Old Man's Creek, on the south. The Yorkshire purchasers selected their one-tenth from the Rancocas to the Falls of Delaware; the London company selected theirs in the vicinity of Arwamus, (Gloucester,) and Timber Creek. Both companies, however, considering it most beneficial to unite in the settlement of a town, selected for its location Chygoes Island; to it they gave the name of New Beverly, afterwards changed it to Bridlington, and then to Burlington, which it still retains. The lots and streets were laid out by Richard Noble, a surveyor, who had previously arrived. The season being far advanced, winter approached before they were prepared for it, and they were compelled to live in wigwams. The Indians were friendly, and supplied them with corn and venison. John Kinsey, one

1677.

Arrival of
the ship
Kent, with
commission-
ers and set-
tlers.

Indian
purchases.

Burlington
laid out.

¹ One on September 10; the second, September 27, and third, October 10. Smith's New Jersey, p. 95.

1677. of the commissioners, died soon after arrival, and was buried at Burlington. One side of the main street leading from the river was appropriated to the Yorkshire company, and the other to the London.¹

Sept. 21.
Various
grants of
land in dif-
ferent sec-
tions of the
country.

Numerous grants of land are made: to Jan Schoeten, on *west side of Schuylkill*, 100 acres; Richard Ducket, east side, up above, in ditto, 100 acres; John Mattson, Swinton, and son Dalbro, 300 *at the place called Wiessakitkonk, on west side up in Schuylkill*; [does not the Wissahicon take its name from this?] Jan Claessen, Paerde Cooper, in *Neshaminies Creek*, 300 next to the land of James Sanderling, two miles up on east side; Thomas Jacobse, *Neshaminies*, next to the above, 100 acres, and afterwards 200 acres; Lacey Cock and James Sanderling, each 100 acres on *Poequissing Creek*; Captain Hans Moens, on Penipake Creek, on the side of ditto, 300 acres, &c.; Anthony Nealson and Mickell Yzard, each 100 in the *Cromkill*; Benjamin Goodsen, by lands of R. Ducket, on *Schuylkill*; Laers Laersen and Hans Petersen, each *above the mill on Amesland Creek*, and the place called *Mohertentling*, 100 acres; Ephraim Harman and Peter Rambo, 300 acres, between Pennepacker Creek and Poequissing Creek, promising to seat the same.²

Sept. 28.

Census of taxable inhabitants, from 16 to 60, taken north and south of Christina, &c.³

October 12.

Carr's house and lot are sold for his debts; it was patented to him by Lovelace, in 1671.

October 15.

Arrival of
ship Martha,
from Hull,
with set-
tlers. Al-
lowed to
pass up the
river.

The ship Martha,⁴ Thomas Wharcup, master, arrives from Hull. The captain asks permission to go up the river with his passengers, (114 in number,) and utensils, having no goods on board. Billop, sub-collector, asks advice of the court, "whether it was proper to let the ship pass above town." The court having received Captain Dyer's letters to Thomas Olive, and the rest of his fellow-commissioners, and also to Captain Billop, are of opinion that, for the settling of the river, the ship be permitted to go up, satisfying what just dues are required. It is further the advice of the court, that

¹ Clarkson's Life of Penn, vol. i. p. 136. Mulford, pp. 181, 182. Smith's N. J., where see the names of many of the first settlers, and early letters from them, giving an account of their early difficulties.

² Upland Court Records, pp. 31, 33. N. C. Records, p. 141. ³ Ibid. p. 153.

⁴ Smith, in his N. J., calls her the "fly-boat Martha, of Burlington, (Yorkshire.*)" She brought "114 passengers, designed to settle the Yorkshire tenth." He furnishes many of their names, and says twenty or more of them were living forty-five years afterwards; p. 102.

whereas Dr. Daniel Wells declares that Captain Dyer, at New York, remitted the customs of 2 per cent. upon the utensils and other uncustomed goods, and the master declaring that he has no more on board than the value of £6 in merchandise, but that all the rest of his loading consists in necessaries for building and settling of plantations, and that his honour the governor hath been pleased to give us the same privilege as New York, we do conceive and believe that the averment of Dr. Wells and Captain Dyer's letters abovesaid, being to the same effect, is true, and that we ought to follow the former precedent of the ship *Kent*, cleared at New York; this our advice not being intended to obstruct Captain Billop in acting as sub-collector. October 6, 1677.¹ 1677.

Messrs. Moll, P. Alricks, Tom, Outhout, Walter Wharton, Jacquet, and Otto, are appointed justices; Commander Billop to administer the oath. October 16. Justices of New Castle.

Governor Andross writes to governor of Maryland that he is going to England this month, to return in the spring, and asks "continuance of his good neighbourhood."

Governor sends Captain Billop, by a sloop, a supply of musket-balls. October 23.

Governor Andross, intending to depart for London, leaves directions to the magistrates of Upland and Whorekill how to act; appeals to be taken to the court of assizes; "extraordinaries" to Captain Nicolls, the secretary, to be communicated to council. He addresses the magistrates at New Castle and Whorekill; appoints Captain Brockholls to be commander of Fort James, New York, and dependencies, and recommends to all, great vigilance in the discharge of their duties. Nov. 17. Governor going to London.

Helmanus Wilbank, Henry Smith, Alexander Molestyn, Edward Southeren, Paul Mush, John Barkstead, and Jacob Roads, to be magistrates at Whorekill for one year; any four or more to be a court of judicature; in case of the absence or sickness of the first, the next to preside. Gives them "full power to act according to law and former practices."² Nov. 20. Justices of Whorekill.

The ship *Willing Mind*, Newcomb, master, arrived from London, and dropped anchor at Elsinburg; she brought 60 or 70 passengers, some of whom settled at Salem, and some Ship *Willing Mind* arrives.

¹ New Castle Records, lib. A. p. 179.

² New Castle Records; Reg. Penns. vol. iv. p. 74. Upland Court Records, p. 46.

1677. at Burlington. The names of some of them may be seen in Smith's New Jersey.¹

Nov. 17. Commander Billop, "being not yet come from on board the ship *Willing Mind*," who was commissioned by the governor to administer the oath to the justices under their new commission, and consequently they could not hold the court, for which there was urgent occasion, Justices Moll and Alricks, who had before been sworn, administered the oath to the rest, viz. Outhout, Jacquet, and Otto.²

Nov. 19. The number of wolves' heads brought in was 55, at 40 guilders, 2200 guilders, clerk and sheriff, 925, making 3125 guilders, to be paid by levy on the inhabitants, 12 guilders and 10 stivers each, either in wheat at 5 guilders, rye at 4 guilders, and barley at 4 guilders per scipple; Indian corn at 3 per scipple, tobacco at 8 stivers per pound, pork at 8, and bacon at 16 stivers per pound, or else in seawant or skins at current prices. The number of tydables in New Castle jurisdiction, 307, whose names are on the records.³

Nov. 20. A great number of grants are made by Andross.

Nov. 23. Several persons unite in a petition to the court of Upland, for a considerable settlement and town "just below the Falls," on the west side of Delaware. Most of them were born in the country, and from the names are probably of Swedish origin: "Laurence Cock, Israel Helm, Moens Cock, Andreas Benckson, Ephraim Herman, Caspar Herman, Swen Loon, John Dalbo, Jaspas Fisk, Hans Moonsen, Frederick Roomey, Erick Mulk, Gunner Rambo, Thomas Harwood, Erick Cock, Peter Jockum, Peter Cock, jun., Jan Stille, Jonas Neelsen, Oole Swensen, James Sanderling, Mathias Mathias, J. Devos? and William Oriam, petition court, showing that they, being all inhabitants, and for the most part born and brought up in this river and parts, have a great inclination, as well for the strength of the river and parts, as for the convenience of travellers and otherways, to settle together in a town at the west side of this river, just below the Falls, do therefore humbly request this worshipful court to move the case to the governor, that they the petitioners may have each of them, in lots laid out, one hundred acres of land, with a fit proportion of marsh, as also that a fit place for a town may be laid out in the most convenient place thereabout, with

¹ Smith's N. J. p. 102.

² New Castle Records, lib. A. p. 197.

³ Ibid.

such privileges and liberties for their encouragement as shall be thought fit, and that the same may be confirmed unto them by his honour the governor, and the petitioners will forthwith seat accordingly, &c."¹ 1677.

The court answer "that they will send the petitioner's petition to his honour the governor, and withal move and entreat the governor in their behalf." It does not appear from these records what was the result, or whether the plan was executed.

A levy for public expenses, of 26 guilders for each tydable, was made by the court of Upland, payable either in wheat at 5 guilders, rye and barley, 4 guilders per scipple, Indian corn at 3 guilders per scipple, tobacco at 8 stivers per pound, pork, 8, and bacon at 16 stivers per pound, or also in wampum or skins, at prices current. Captain Cantwell to collect the levy, and, on default, he was empowered to distrain, and to call two neighbours. The number of tydables in Upland jurisdiction at this time was 136.² Nov. 23.
Levy for expenses of government.
Number of tydables.

Various grants of land are recorded about this time.

On petition of Peter Rambo, desiring a grant of the court of Upland, to take up 250 acres of land between the land of Wicaco and the land of Juriaen Hartsfelder, the court grant the petition to take up so much land which is not granted, taken up, or improved before this date, he improving and seating the same, according to his honour the governor's regulations. This appears to be the land now occupied by Philadelphia. On the complaint of the Swensons, that their patent embraces the same; the court afterwards decide in their favour.³ (See 1679.) Grant to Peter Rambo.

Laer Colman, Pell Laerson, and Peter Erickson, 300 acres *near Falls of Schuylkill*; Neils Laerson, granted by governor to Justice Israel Helm, *up the river*, 200 acres; Jonas Neelson, in the place called "Moherhuting," *above the mill*, on the west side of the river, 200 acres; James Boon, east side of a little creek which comes out of *Amesland Creek*, called Mohurnpati, 200; Jan Boolsen, 100 acres, *above the mill, on Amesland Creek*; Justice Otto, Ernest Cock, Jan Hendrix, and Albert Hendrix, each 200 acres, *between Caleb's Creek and the pyne tree*; Jacob Hendrix, above, on east side of Cromkill, 100.⁴ Various grants of land by the court.

Captain Jans Jurgin is ordered and desired by the court Court house.

¹ Upland Court Records, pp. 45, 46.

² Ibid.

³ Ibid. p. 36.

⁴ Ibid. p. 46.

1677. to warn his men belonging to his company, and with them to fit up and finish the *house of defence at Upland* fit for the court to sit in, against the next court.”¹

Grants of
land.

Among a great number of grants of land at or about this time are found the following: to Laurentius Carolus, 350 acres near Cromkill; Charles Jansen, 1000 acres on Naaman's Creek; Richard Hill, 1000 acres on Mispillion Creek; Peter Cock, 650 acres on *Quessinawominck Creek*; to Laurence Cock and others, 1600 acres at *Cohocksinks Creek*; Henry Smith, 3000 acres, called Prime Hook, near Slaughter's Creek, by Prime Creek; quit-rent, one bushel for 100 acres.²

Several persons this year settle in the present Bucks county.

Several other vessels arrive this year with passengers; the ship *Mary*, Captain Wall, and the ship *Success*, Captain Nicholson.

1678.

January 11. The commander has orders to repair the fort or redoubt belonging to New Castle; says it ought to be done by the inhabitants, and not out of king's revenue, which the court agree to pay out of any surplus.³

January 12. Wolf-pits are to be made “to destroy the vermin, which are become so numerous.”

Death of Wm. Tom. The death of William Tom is mentioned; papers in confusion.

January 19. A woman coming from Maryland to be confined with an illegitimate child, is ordered to depart; “and to the end for the future, no such persons may be here harboured, and that this place may not serve and be counted a shelter for whores, the inhabitants are forbid to harbour or entertain any woman *enceinte* coming from any place without this jurisdiction, without giving notice.”⁴

March 17. “John Yeo, minister, being lately come out of Maryland,” this day appeared in court, and “exhibited and produced his letters of orders, and license to read divine service, administer the holy sacrament, and preach the word of God, according to the laws and constitution of the Church of England. The court accepted said John Yeo, upon the approbation of his honour the governor, he to be maintained by the gifts of

¹ Upland Court Records, p. 46, &c.

³ New Castle Records, lib. A. pp. 208, 220.

² Breviat, pp. 47, 48.

⁴ Ibid. lib. B. p. 30.

the free, willing givers⁴; wherewith the said John Yeo declared himself contented.”¹ 1678.

What were the reasons for this gentleman leaving Maryland, does not appear. Shortly after this date, he asks the court to revive a judgment obtained in Maryland in 1675. An extract of a letter dated Patuxent, May 25, 1676, to the Archbishop of Canterbury, from the “Rev. John Yeo,” (probably the same person,) says, “The province of Maryland is in a deplorable condition for want of an established ministry. Here are ten or twelve counties, in them at least 20,000 souls, and but three Protestant ministers of the Church of England. The priests are provided for, and the Quakers take care of those that are speakers, but no care is taken to build up churches in the Protestant religion.” After furnishing a still further most gloomy picture of the state of morals in Maryland, he says, “As the Lord Baltimore is lately gone to England, I have made bold to address this to your grace, to beg that your grace would be pleased to solicit him for some established support for a Protestant ministry.”² It is therefore probable that it was partly with a view to improve his condition, that he left Maryland. If it were so, he appears to have been disappointed, as on the court records of next year, viz. March 4 and 5, 1679, the following proceedings appear: “John Yeo preferring in court a petition showing that the petitioner came to this place in the month of December, 1677, and was received as minister, to be maintained by the voluntary subscription of the inhabitants, and that he continued in the ministerial office until he was denied the same by Captain Billop, the then commander of this place, without any manifest proof of any crime deserving such suspension. The said petitioner, therefore, humbly desiring this court to grant him an order for a *quantum meruit* proportionable to the time of his, the said petitioner’s preaching to the people of this place, being one-third part of the subscription, and also for other perquisites due to him the petitioner, for baptizing of children, marriages, and burials, &c.” “The court answer, that since the petitioner, Mr. Yeo, after he had been some small time here, did then, in open congregation in the church, voluntarily, out of his own accord, throw up the paper of the people’s subscription, he saying, and openly then declaring freely to discharge them; and if Cap-

John Yeo
in difficulty
about his
salary and
perquisites.

¹ New Castle Records, lib. B. p. 48. ² Chalmers’s Polit. Ann. pp. 363, 375.

1678. tain Billop, (as without any order he did,) has given the petitioner the subscription back, the court are of opinion that therefore the petitioner may have his remedy against him the said Captain Billop, &c.; but as for the perquisites of marriage, baptism, and burials, the petitioner ought to be paid for the same, which is just and equitable."

At the same court, he acknowledges a deed for 800 acres, called "Mussel Cripple," or White Clay Creek, sold by him to John Edmonds, who subsequently appears as plaintiff to a suit against Yeo. In another case, he, as an assignee, appears as plaintiff.¹

March 22.
Early settlement of Upland by six inhabitants. Transfer of share.

Hans Juriansen Kien, of Taokannink, acknowledged a deed dated 9th instant, making over to his brother, Jonas Jur. Kien, one equal share and lot of land, in quantity equal with the shares and lots of the other inhabitants of Upland town or neighbourhood, the appurtenances lying and being in Upland aforesaid, the whole dividend or tract of land being heretofore surveyed and laid out *for the six inhabitants of Upland town* in general, contains 1200 acres, whereof the part and share of him, the said Hans Kien being one of the said six inhabitants, is 200 acres, as well cleared as woodland, which said 200 acres were thereby sold and made over as above, together with the housing and other appurtenances standing upon the said Hans Kien's lot of land, lying and being at Upland town aforesaid, near the creek, between the houses and lots of James Sanderling and Jurian Kien. Jonas Jur. Kien acknowledges deed, &c., for making over unto John Test, late of London, merchant, all the above; said Jonas also conveys to John Test, *a certain new block-house*, by him the said Jonas built on above-named lot, near the water side of creek. Test conveys same to Marmaduke Randall, of London.²

Man-servant sold.

A man-servant is sold, with his consent, to Israel Helm, for 1200 guilders, for four years.

Grants of land on Schuylkill.

Several grants of land on Schuylkill are made: to Peter Rambo and Pelle Dalbo, on east side, 200 acres; Andreis Benksen, 200; John and Andreis Wheeler, 300; Andreis Johnson, 200; Lasse Dalbo, 100 acres, east side.

Mill on Carcoon Creek.

Representations that people daily taking up land *near the mill* of Carcoon Creek, the said mill would be left destitute

¹ New Castle Records, p. 243. See also Hawks's History of Episcopal Church, vol. ii. p. 50. McMahon, p. 215.

² Upland Court Records.

of any land to get timber for the use of said mill, the court ordered, that on the west side of said mill should be laid out 100 acres of land for said mill's use.¹ 1678.

Niel Mattsen transfers to James Sanderling, of Upland, a certain patent granted by Governor Richard Nicholls to him, August 6, 1668, for two lots of land in Upland, at Delaware, on north side of creek adjoining to Israel Helm's and Joost Daniels's land, and bounded with Villies Lace, in breadth 36 yards, which said lots have been laid out by the officers of Delaware, being unmanured and undisposed of, to the end some good improvement may be made. Transfer of land at Upland granted in 1668.

The court give E. Herman a certificate of excellent conduct while in office as clerk.² Certificate of good conduct.

Walter Wharton is presented "for marrying himself, or being married directly contrary to the known laws of the kingdom of England, and also of the laws and customs of this province. The court having heard the relation of Justice Garrett Otto about the same, order that Mr. Wharton answer the breach of the law, and his contempt, at the next court." He is also complained of for promising lands before grants had been made.³ March 17. W. Wharton presented for marrying himself.

Complaints are made against Commander Billop, that he uses the fort as a stable, that he keeps the court-room above in the fort, and the same filled with hay and fodder; that he keeps hogs in the fort walls, and the gates locked up; that he hath and doth still deny and debar this court from sitting in their usual place in the fort; that he makes use of the soldiers about his own private affairs, &c. After the dispute with the court, he promised to remove his horses. March 18. Billop mis-uses court-room and fort.

The court of New Castle request the court of Upland to arrest a person by the name of Smith, residing in the precincts of the latter, under the following circumstances: He had been arrested at New Castle, and condemned to pay to a Mr. Henry Ward there, 130 guilders and costs, but on his "humble request, he obtained the favour of us, (the court,) that we ordered execution suspended until 8th ultimo, so that we made ourselves debtors, or at least security for him; he being lately here, promised faithfully not to depart hence till he had fully satisfied the debt, but since, he very unworthily has broken his promise. Our request is, you will be pleased March 19. Demand of New Castle court of a fugitive from justice, on Upland court.

¹ Upland Court Records.

² Ibid.

³ New Castle Records, lib. A. p. 247.

1678. to send the said Smith secure unto us, so that he may pay his debt, and answer for his bold peremptory attempt." They promise to do the like for the court at Upland, who order the high sheriff to take him into custody whenever they find him in their jurisdiction, and securely carry him to New Castle.¹

April 13. The justices' court of Upland was held at the house of Justice Peter Cock, on Schuylkill; "a deed and mortgage entered in judgment."

Grant of meadow to four inhabitants of Moyamensing. A grant by the court, to Lasse Andreas, Oole Stille, Andreas Bencksen, and John Mattsen, inhabitants of *Moyamensing*, to take up 25 acres each of marsh or meadow, between the Hollander's kill and Rosamond's kill, on the west side of this river. Also to P. Dalbo and Oole Swensen, 25 each on west side of Schuylkill.

An insane hospital. Isaac Cornelissen, of Amesland, complains to the court, "that his son Erick is bereft of his natural senses, and is turned right mad, and that he, being a poor man, is not able to maintain him. Ordered, that three or four persons be hired to build a little block-house at Amesland, to put him in, and at next court an order will be taken that a small levy be laid to pay for building the house and maintaining the madman, according to the laws of the government." This is probably the first public provision for the insane.²

Defamation. Capt. Cantwell charges Neils Laerson with defamation. He asks forgiveness of Cantwell in court, with which he is satisfied.³

May 19. In consequence of Major Fenwick's "making some new alterations on the east side of the river, a private justices' court was held in the fort. Captain Cantwell declares, that being at Salem, alias Swamptown, on the 30th of April, 1678, Major Fenwick convened the inhabitants, and appointed various officers, and declared that he would appoint others at his leisure. Several papers were read in relation to the major's patent to his royal highness, and from his royal highness to Lord Berkley, and Lord Berkley to Fenwick, &c., who demanded the superiority and submission of the people there as his right and property. He then produced an oath to be signed, and which several persons did sign. Fenwick denied the power of the court to levy upon their land; he would bear the people harmless in opposition to it. He forbade Mr. Foppe Outhout to act in behalf of the court of New Castle, upon the forfeiture of his estate. On being reminded

¹ Upland Court Records, p. 66.

² Ibid. p. 81.

³ Ibid.

that Mr. Outhout was commissioned by the governor to act, he denied the power of the governor to act without the advice of his council. Various certificates and letters between the justices and governor follow. The council at New York, (May 22,) directs the justices to give notice to Fenwick that, according to his parole, he forbear assuming any power of government to himself, on the east side of Delaware, or anywhere else in those parts, unless he can produce more authentic power from England." In case of refusal, the commander and justices of New Castle are "required to order him to come to New York within the space of — days, to answer what may be alleged against him." On his denial or refusal, "force is to be used to seize his person and send him to New York." A letter to this effect was written to Fenwick by the justices, and sent by a special messenger. In reply, June 3, says, "that the cause of my long imprisonment, which is not unknown to them, was because I would never be persuaded to give security either to be of good behaviour, nor to forbear acting in that public capacity in which I am authorized by virtue of the king's patent, the duke's grant to John, Lord Berkley, and Sir George Carteret, and Lord Berkley's deed to me, all which were produced before the governor and council, by the commissioner who arrived at York last August, wherefore I had my liberty to come home without any obligation, and to return 6th October following, which accordingly I did, to the hazarding of my life; and the governor then told me he wondered I did come again, and gave order I might return hither again about my lawful occasions. It is well known, likewise, I was made and retained prisoner to the court of assizes, and by their favour and yours I cannot look upon myself obliged by my parole to appear, without an order from the court of assizes," &c. The justices despatch a messenger to New York with the foregoing letter, and further complaints against Fenwick, and ask their orders, which they request (June 5) "may be absolute and sufficient, for it is our opinion that he will hardly be taken without bloodshed or mischief." He declares "no one shall take him alive, no, not if the governor himself came."¹

1678.
Further proceedings
against Fenwick, continued.

The court at New Castle referred the settling and regulat- June 14.

¹ New Castle Records, pp. 265—290, where all the documents and correspondence are at full length. They have since been published by the New Jersey Historical Society, vol. ii.

1678. ing the church affairs of that place to John Moll and Peter Alricks, they to make up the account with the reader and wardens, and to make such further orders and regulations as shall be found most necessary.¹

Repairs of church at New Castle.

W. Wharton marries himself, and acts illegally as surveyor. Arraigned before court, and case referred to governor.

“Mr. Walter Wharton, being heretofore, by the minutes, reader and churchwarden, presented for marrying himself, or being married directly contrary to the known laws of England, and also contrary to the laws and customs of this place and province, as also for promising lands, and entering the same in his book, before that the person for whom he did it had any grant or order of court for the same; and the said Walter Wharton not appearing in three following court days, and to the end the reproach may be taken away from the river, and that such notorious breaches of the laws, and disorders, may for the future not pass unpunished, especially in persons of lesser quality to those of this of Mr. Wharton, (who is in commission, and bears the office of a justice of the peace, ought to give good examples to others,) had not been regarded, might at all times hereafter be held for a bad precedent. The court do therefore think it necessary humbly to offer the premises to the judgment of his honour the governor, for to inflict such punishment as his honour in his wisdom shall think fit and expedient.”

Is fined for absence from the court.

“Mr. Wharton, being commissioned one of the justices and member of this court, and not having appeared for five months, not having been out of the precincts of the bay and river, is fined £10, with costs.”²

June 28.
Patent for Marrities or Marcus Hook.

Jan Hendricksen acknowledges a deed to Roger Pedrick, for all his right, &c. in the land and appurtenances lying and being on west side of Delaware, called and known by the name of *Marrities Hoeck*, (now Marcus Hook.) The whole tract of Marrities Hoeck lands being granted and confirmed by patent from his royal highness's governor, Edmund Andross, March 28, 1676, unto the *six possessors* thereof, viz. Charles Jansen, Oole Raessen, Hans Oolsen, Oole Neelsen, Hans Hofman, and the said Jan Hendricksen, and contained in the whole 1000 acres.³ This same land was granted by the Swedes to J. A. Besk, so early as 1653.⁴ (See page 138.)

The court order to levy a tax of 5 guilders per head on every tydable person, to defray the expenses of the court's

¹ New Castle Records, pp. 269, 270.

² Ibid.

³ Upland Records.

⁴ Ibid. p. 84. Reg. Penns. vol. iv. p. 273.

sitting charges, as heretofore, the said levy to be paid by every person on Tinneconk Island, between this and 6th of October next.¹ 1678.

Two hundred acres are granted to Thomas Nossicker, and 100 to William Warner. It has been said that the latter settled over Schuylkill, in 1658, but after diligent inquiry among his descendants or connections now living, we can find no knowledge or tradition of the fact among them.²

Justa Andries is indicted for slanderous language against his majesty and the court.³

John Moll is deputed by the justices of New Castle to go to New York, to communicate certain facts occurring in the governor's absence in England, and to ask some privileges.

1. To "grant leave and permission to obtain and have an orthodox minister, to be maintained by the gifts of the free, willing givers."

2. To double the magistrates, and have a coroner.

3. To send "the new corrected law book," and seal of office.

4. In relation to the title of Carr's land.

5. Complaint that Walter Wharton neglects his duty as surveyor; fees higher than in Maryland, and wish them reduced; and chiefly to make his honour acquainted, that to the great shame and blame of the government, he, the said Walter Wharton, hath married himself, and promised lands not granted, and that he forced one man in Maryland to assign his patent to him only for surveyor's fees.

6. Wish government to establish weights and measures, and that a gauge be appointed on this river, for all coopers to make the tobacco hogsheads accordingly.

7. Complains that *Major Fenwick* forbids the people of the east side of this river to pay their proportion of the public rate laid last year, for the paying of the wolves' heads, and that the said Fenwick threatens the people with ruin in case they pay any, and that he now has laid a tax himself; therefore to know whether the people there shall pay any of the said tax, and how, for the future, the court shall act and behave themselves towards the said east side.

8. People complain they cannot get their money from the public.

Grants of land.

July 26.
Case of slander.

July 27.
J. Moll sent to New York with representations to governor. Asks for minister.

Increase of magistrates.

Complains of W. Wharton.

Weights and Measures.
Gauge for tobacco hogsheads.
Complains of Fenwick opposing wolf tax.

¹ Upland Court Records, p. 84.

² See Watson, vol. i. p. 11.

³ New Castle Records, lib. A. p. 292.

1678.

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9. Whether a levy or tax may be laid for paying the debts made during the time of this government, concerning the fort, &c.

10. Whether houses and lands of persons deceased or run away are taxable.

Liberty of
trade to
Maryland
for negroes,
&c., and for
England.

11. "That liberty of trade may be granted us with the neighbouring colony of *Maryland*, for supplying us with negroes, servants, and utensils, without which we cannot subsist, and also that liberty may be granted us for our own vessels which we may get, to enter and clear the same here, without touching at New York, in case we might send them for England and other places, we observing the acts of parliament."

Complains of
Billop siding
with Fen-
wick.

12. Refers to Captain Billop's acts; "among other things," that he, said commander, contrary to his duty, stands up for and holds with Major Fenwick, which hath so amazed the inhabitants of the eastern shore, that some of them know not whom to obey."

Also to know whether the said commander hath power to grant licenses for marriages, as to several persons he hath done, whereby the common course of three proclamations in the church, or banns setting up, is laid aside.¹

July 27.

The council at New York think the orders heretofore given the justices at New Castle, in the case of Fenwick, quite "sufficient, so shall not alter any thing therein, but leave you to answer your neglect to the governor, who is daily expected, and all prejudice or mischief that may happen thereby to be at your doors, they having done their duty."² The justices despatch Billop to Fenwick, who promised to repair to New York. The court decide, if he will, under his hand, promise to repair to New York in twenty days, he may be left; but if he refuse, or do not send a satisfactory answer, that then the commander and sheriff take a body of militia, and seize his person.²

August 3.
Fenwick at
New Castle,
on his way
to New York.

The court express to the council their "sorrow at your honour's reply," and explain, by way of apology, their motives for writing as they did. It appears, by this letter, that Fenwick had been brought to New Castle, with a view to sending him by sloop to New York; they afterwards conclude to send him by land.³

¹ New Castle Records, pp. 306, 307.

² Ibid. p. 308.

³ Ibid. p. 311.

Fenwick, in New York, is presented with a copy of charges against him; asks time to answer; considers his interest separate from New York; appeals to the king, and prays to go to him; court does not grant it, but refers him to judgment of court of assizes at New York.¹

1678.

Captain Billop is ordered to New York by the governor, probably on charge of favouring Fenwick, leaving the charge of the military and civil matters to Justice Alricks, to be chief, and Thomas Woolaston, clerk to take customs.

Sept. 13.

Captain Billop ordered to New York.

Captain Billop delivers over to Moll and Alricks the following articles belonging to the fort: 8 iron guns, 7 leaden aprons, 18 matchlocks, 6 firelocks, in all 24 muskets, 12 collars of bandaliers, 66 iron shot, 465 musket bullets, 1½ barrel of powder, 3 quires cartridge paper, 12 skeins of match, 2 ladles, 3 sponges, 3 rammers, 2 worms, all upon 5 sticks, &c. Probably Billop had been removed.²

Sept. 16.

Stock of ammunition in the fort.

John Avery, F. Whitwell, Alexander Molestyn, John Kips-haven, Luke Watson, John Roads, and James Wells, to be justices for Whorekill; four or more a court.³

October 18.

Justices of Whorekill.

The Duke of York made a new grant of West Jersey to the assignees of Lord Berkley.⁴

New grant of West Jersey

An order passed by the governor about lands was this day also openly read in court, and fixed at the court-house:

Nov. 4.

^a “Whereas I did, in the year 1675, among other regulations then made for encouragement, remit the quit-rents for the first three years on all new lands to be taken up and seated in Delaware precincts, which having proved inconvenient, by many taking up land and not seating at all, I therefore do repeal and recall the same, except for such as have seated and improved upon said order, be accordingly indemnified; but all such as have taken up lands, and seated and improved, and made due returns thereof, as by law and orders, (sent and published last year to be recorded,) to forfeit the same, and the land not seated and improved to be disposed of as vacant lands, and all such as have improved and seated, but not made such returns, are hereby again required, for rectifying of former, and preventing of future disorder, to make a due return as above, of such their lands, quantities, and situation, according to the patent, surveys, or card thereof, to the clerk of the court in whose jurisdiction their said land lieth, to be recorded,

Quit-rents reimposed. Directions about land.

¹ N. Y. Records; Breviat.² New Castle Records, p. 316.³ N. Y. Records; Breviat.⁴ Johnson, p. 10. Smith's N. J. p. 111.

1678. and by the court certified to the secretary's office here, and such as have not taken care to pay their quit-rents due for the same, that they, within the space of six months, as above, do account and pay the arrears to the receiver, from my first coming into the country, for 1674, and for the future, all such as have or shall take up lands, to pay their quit-rents from their taking up such lands, and yearly, at the towns of Upland, New Castle, and Whorekill, for the several precincts, at their peril, and such as shall take up and not improve land, to forfeit the same, according to law. This order to be forthwith published, and set up at the court-houses of Upland, New Castle, and Whorekill, in Delaware. Given under my hand, in New York, 25th October, 1678. E. ANDROSS."

"Resolved, in regard the church doth very much want reparation, that Mr. John Moll and Peter Alricks take care and order about the same, the charge and cost to be found and raised by a tax, if no money be due upon the former list of the reader."¹

November 5. a minister, as they desire; sends a new commission for magistrates, and a law book. The purchasers of Carr's land, which he allows to be sold for the use of his creditors, may have new patents. "Courts have power to order matters relating to the surveyor in every respect, according to regulations and law." "The laws direct weights and measures to be English, but ancient custom may be looked upon as law, and the public weigh-house is to be gross weight only, if or above one quarter of a hundred." "Houses and improved lands are liable for debts, as well as movables; all favours as to trade may be expected, so that acts of parliament are not infringed, with due regard to the custom-house here. The late Commander Billop is here, and if any have been wronged by him, they shall have right." New York, October 26.²

Governor Andross commissions six persons to be overseers, selectmen, or commissioners in New Jersey, at Elseburgh and parts adjacent, for one year, amongst the new comers, and if any dispute arise amongst them and the old inhabitants of those parts, Mr. Outhout, who has been an ancient inhabitant there, and is now one of the justices of New Castle, to have notice, who is authorized, on such occasions, to be one of the

¹ New Castle Records, lib. A. p. 320. Upland Court Records.

² New Castle Records, lib. A. p. 307. Reg. Penns. vol. i. p. 93.

Minister allowed.

Court have power over surveyor.

Weights and measures to be English.

Houses and improved lands liable for debts. Trade to be favoured.

Elsinburg incorporated. Court established, &c.

court, and being there, to preside; and you, or any four, to keep a court, as a town or corporation, quarterly or oftener, to appoint constables, and to allow fit proportions of land for present improvement, the same being duly purchased, and to hear and determine all matters not extending to life, limb, or member, or exceeding £5, above which to admit of an appeal to court of justices at New Castle.¹ 1678.

Governor Andross appoints J. Moll, Peter Alricks, Foppe Outhout, G. Otto, Johannes De Haas, Abraham Man, and William Semple, as justices.² Nov. 7. Justices of New Castle.

A warrant from Governor Andross is presented to the court at New Castle, in consequence of complaints made to him by Michael Barron and other inhabitants of east side of river, who had been "disturbed in the lawful possession of their lands by Fenwick, &c." The court at New Castle is "desired and authorized to take care that the said inhabitants be not disturbed in their possession upon any pretence whatever," and "if occasion, to make me forthwith acquainted with the same."³ Nov. 11. Warrant of Andross about lands, and Fenwick.

The limits and divisions between this (Upland) and New Castle county were this day agreed upon and settled by this court, and Mr. John Moll, president of New Castle court, as follows: "This county of Upland to begin from the north side of Oole Fransen's creek, otherwise called Steen-kill, lying on the *bight* above the *Verdrietige Hoeck*, and from the said creek over to the *single tree point*, on the east side of this river."⁴ Nov. 22. Boundary between New Castle and Upland counties.

James Sanderling, for inhabitants of Upland, complains against Neils Laerson for fencing off the way to the "fly;" court order it down.⁵ Another against Domine Laers Carolus, that he has fenced in some of the church glebe land. "Ordered, that he shall have all belonging to him, the rest he must leave out."⁶ Encroachments on land. Order of court.

Various grants of land on Neshaminy, &c.: 100 acres on lower side, and 50 in the woods, to Dirck Williams; 100 to Edmund Draughton and his son; 100 between heads of Cromkill and Oole Shellir's kill; Jan Schooten, a small quantity of marsh lying at the place called *Hans Moonson's great Mill Falls*, at the end thereof, so much as is fit to mow four Grants of land on Neshaminy, Schuylkill, Pennypack, Poetquis-sing.

¹ N. Y. Records, as quoted in Penn's Breviat.

² New Castle Records, lib. A. p. 316.

⁴ Upland Records, p. 50.

⁵ Ibid.

³ Ibid. p. 318.

⁶ Ibid.

1678. *stacks of hay*, the Mill Falls being a run that comes into Schuylkill; Ephraim Herman, between Pemebaccan and Poet-quissing. Ordered, that the land formerly granted to Jan Boolsan be reserved for the mills, and Jan Boolsan to locate 100 acres elsewhere.

Mill on
Moonson's
Falls.

"It being very necessary that a mill be built on the Schuylkill, and there being no fitter place than the falls called *Captain Hans Moonson's Falls*, the court are of opinion that either Hans Moonson ought to build a mill there, (as he says he will,) or else suffer another to build, for the convenience of all parts.

Land conveyed at
Sachamexing.

Laurence Cock transfers to Elizabeth Kinsey a plantation lying and being at *Sachamexing*, (the whole deed is on the record,) "the daughter and heir of John Kinsey, late of Herefordshire, England, deceased, 300 acres, on west side of Delaware River, *at the town or neighbourhood* called and known by the name of Sachamexing, the whole dividend and quantity of land being of late surveyed for the inhabitants of Sachamexing in general, contains 1800 acres, by which, reserving the share and interest of him, the said L. Cock, as being one of the six inhabitants of Sachamexing, amounts to 300 acres, as above mentioned, together with his, L. Cock's share of marsh or meadow, with all and singular the houses, dwelling-houses, barns, stables, stalls, fences, &c. now standing upon said land." L. Cock states he is the lawful owner, and has a right to sell; warrants against all claims except quit-rents. The deed is dated 30th March.¹

Transfer of a patent of Andross, March 25, 1676, to Harman Jansen, 100 acres, on north side of Mill Creek, over against Carcoon Hook.

Roads between
plantations to be
opened.

Court order "that every person shall, within two months, as far as his land reaches, make good and passable ways from neighbour to neighbour, with bridges, where it needs, to the end neighbours on occasion may come together; those neglecting to forfeit 25 guilders."

A jury.

The following compose a jury: Hans Moens, Dirck Williams, Salfit Barnes, Edmund Draughton, Peter Jackson, Isaac Saney, Jan Hendrick, Jonas Kien, Moons Cock, John Brown, Jan Boolsen, Henry Hastings.²

Nov. 28.

Andross directs Sheriff Cantwell to put Robert Stacey in

¹ Upland Court Records, p. 99.

² Ibid.

possession of Mattiniconk Island, which the governor had leased to him for seven years. 1678.

Governor authorizes Cantwell and Herman to purchase from the Indian proprietors the unpurchased lands below the falls, on west side, between the late and former purchases, together with any islands, and to adjust time and place, and species of payment, and give him notice.¹

Land to be purchased from Indians.

Churchwardens and elders having been nominated, the court appoint John Moll and J. P. Jaquet, elders, and John Smith, E. Lott, B. Gummery, Samuel Burder, and William Penton, churchwardens.²

December 3. Church officers appointed by the court.

Henry Smith, of Whorekill, had raised several reports against some of the magistrates, &c. belonging to court, and did afterwards, in writing, charge two justices, and the clerk of court, with several crimes, in general terms, whereupon he was committed to the sheriff of New York till he should give £500 security to prosecute or make good his charge against them, according to law, which he refusing, but pretending an inquest in the council for it, the whole matter being debated in council, said Smith is adjudged to pay a fine to the church or poor at New York, £10, together with all incidental charges, and that he be likewise bound in bond of £20, at Whorekill, to be of good behaviour till next general court.³

Dec. 10. Defamation of the court punished.

Philip Pocock is appointed, by Andross, surveyor of New Castle and dependencies.⁴

Dec. 25. Surveyor appointed.

Arrived the ship *Shield*, from Hull, Daniel Towes, master, and dropped anchor before Burlington, being the first ship that came so far up the Delaware; against Coaquanock, (now Philadelphia,) being a bold shore, she went so near in turning, that part of her tackling struck the trees; some on board then remarked it was a fine spot for a town. A fresh gale brought her to Burlington; she moored to a tree, and the next morning the people came on shore on the ice, so hard had the river suddenly frozen. A number of passengers came in her; one was born on the passage.⁵ From what has been already mentioned on p. 444, respecting the ship *Martha*, some doubt may perhaps be raised whether the *Shield* was the first ship at Burlington, as there was probably no other inducement for the former to proceed above New Castle, than to

Arrival of the *Shield* at Burlington.

¹ N. Y. Records; Breviat.

² New Castle Records, p. 355.

³ N. Y. Records; Breviat.

⁴ New Castle Records.

⁵ Smith's New Jersey, p. 108, 109.

1678. reach the place of settlement, and land the baggage and utensils of the passengers, she having no merchandise.

This same year also, arrived a ship from London, with passengers.¹

Clarkson estimates the number of settlers sent over through Penn's agency, up to this time, about 800, mostly Quakers.²

First purchase at Middletown, Delaware.

This year Adam Peterson surveyed 200 acres of land, the tract on which Middletown (Delaware) now stands. The original plat and title were in existence in 1842. This is said to be the earliest purchase of lands at Middletown.³

1679.

March 22.

State of education.

E. Draughton sues Dirck Williams for his bill for teaching defendant's children one year, 200 guilders. A witness, who heard the agreement made, testifies that E. Draughton was to teach Dirck Williams's children to read in the Bible, and if he could do it in a year, or half a year, or a quarter of a year, he was to have the 200 guilders; judgment for plaintiff.⁴

Division of Marcus Hook lands asked for.

Petition of Roger Pedrick and William Hews, joint partners with the rest of the inhabitants of Maritties (Marcus) Hook, with the land there, desiring that the said land may be laid out and equally divided between all the parties, to the end that each may have a fair proportionable share, as well of the good as the bad land. The court answers, "that the petition of those who are not satisfied with the division which of old hath been, and still is, may, at their proper costs, have the same new surveyed and shared."⁵ Roger Pedrick then transfers "the one just and equal half part of his land to William Hews, and Hans Oolson transfers to William Clayton all his lands, houses, &c. at Maritties Hook." It will be recollected, that in 1678, a grant was made to six inhabitants for the whole undivided plot of 1000 acres. This plan seems to have been pursued with several other towns.

Grants of land.

Several grants of land are recorded: Thomas Fayreman, 260, and Dirck Williams, 4 acres in addition, all on Neshaminy; to Jacob Fabricius, 300 acres on west side of Delaware, and Jurian Hartsfelder, 100; Jans Justasson, alias Illack, transfers to A. Hendricks a piece of land below Up-

¹ Smith's New Jersey, pp. 108, 109. The names of the passengers in both vessels are there recorded.

² Clarkson, p. 165.

³ Foote's Address, 1842, when he exhibited the original plat; p. 14.

⁴ Upland Court Records, p. 121.

⁵ Ibid. p. 121.

land, between two small creeks, called Harwick's Creek and Middle Creek. 1679.

Neils Laersen is ordered by court to make or leave a lane or street from Upland Creek *to the house of defence or country-house*, before next court, or be fined; he not appearing, sheriff is to notify him, "so that he might not plead ignorance."

House of defence, or country-house, at Upland.

Peter Rambo, sen., claims, by a late grant of this court, a certain tract of land at Wiccaco, and Oole Swensen, Swen Swensen, and Andries Swensen plead that the same land was within the bounds of their patent; both parties having been heard, the court orders, "that since the Swensens have the same in their patent, which is of old standing, and Peter Rambo's grant was but late, that therefore the said Swensens do keep the land, and in case more land be found within the bounds of the said patent than is set down, they the said Swensens are to have the preference to take it up before any others."

Claim for land at Wiccaco.

A transfer of land granted by Governor Lovelace in 1671, May 1, is recorded.

Grant by Lovelace, 1671. Pumpkin suit.

A man who agreed to pay another in "*pompkins*," is ordered to pay, a witness declaring that a demand was made by defendant, but plaintiff refused "to bring them to the water side." Judgment, 20 guilders in wheat, and 26 guilders in pumpkins, at 16 guilders per 100.¹

We have before mentioned, (page 423,) a grant from the governor to Peter Bayard. It appears that the land was now purchased from the Indians. "Mechaecksitt, sachem of Cohan-sink, and sole Indian owner and proprietor of that tract of land called by Christians Bompies Hook, and by the Indians Newsink, in consideration of one gun and some other matters, grants to Peter Bayard, of New York, all that tract of land on west side of Delaware, and at its mouth, beginning at a great pond and a little creek issuing out of it, being the uppermost bounds of it, and stretching down along the river to Duck Creek, with lands, woods, &c. between the said uppermost pond and creek and Duck Creek, to hold to Peter Bayard in fee, to his own sole use." The deed is witnessed by E. Herman, clerk, who was one of the two persons appointed by the governor to purchase lands of the natives; so it is probable this was bought by governor's order.²

May 14. Purchase of Bombay Hook from Indians.

¹ Upland Court Records, p. 119.

² New Castle Records, in Breviat.

1679.

June 13.

Case of
Hutchinson,
a constable,
who broke
open a
trunk. Go-
vernor gives
his construc-
tion of the
law.

The court seem to be much puzzled to know how to proceed in the case of one Hutchinson, a constable, in whose care a chest was left by some person; while in his house, he broke it open, and applied the articles to his own use. The court apply to the governor, who, in answer, gives his construction of the law as follows, the prisoner being confined: "The matter of fact committed by the prisoner would not reach to the taking of his life by the strictest law, (according to our apprehension, here;) if it were in England, and the duke's laws are much more favourable, where, if you will turn to the capital laws, you may be further satisfied; besides, the chest, with what was therein, being left at his house by the party, it is but a breach of trust, though the thing is aggravated by his having broken open, or picked the lock of the chest, and taken out those things, to convert them to his own use, may be looked on as a larceny, or thieving, and he acted as a great knave and cheat; but whether it will reach to the criminal part, so far as to burn him in the hand, which is commonly inflicted on a person that deserves death, yet having the benefit of the clergy, saves his life by reading, though he forfeits all his goods and chattels, and liberty for five years. It is a question, however, the proof being so clear. I suppose he may at least deserve corporeal punishment, or a considerable fine, and such further penalty, by banishment or the like, the which his excellency doth wholly leave to your court to adjudge and determine, before whom he is to have his trial, and whatsoever your sentence shall be, you are to put the same in execution." It appears he was suspended as constable, and sentenced to be whipped, which was immediately executed; the stolen goods to be returned, and he banished for ever from the river and parts adjacent.¹

Hutchinson
is whipped
and banish-
ed.

June 16.

Several of the justices of the court are deputed to visit the governor at New York, on matters respecting the court, town, &c.²

July 12.

Verhoof is surveyor, and Venis sheriff at Whorekill. Prices of survey at Whorekill to be the same as in Maryland and Virginia.

Oath illegal-
ly taken not
binding as
evidence.

"A magistrate of city of New York unadvisedly took an oath of one Taylor, concerning fees which he claimed for surveying at Whorekill, the magistrates of the city having nothing to do in any other part of the government out of

¹ New Castle Records, lib. B. p. 84, 91.

² Ibid. p. 115

their precincts, and the said oath being taken contrary to law, you are to take no cognisance of it, and by no means admit it as proof or evidence for Taylor."¹ 1679.

A petition is presented to the court by Michael Baron, showing that the Indian proprietors had given him, in 1671, a certain tract or neck of land, lying in the Ferkens or Salem Creek, the said land being called Quiettetting, and that the said parcel of land was accordingly, by orders of John Edmunds, surveyed, and improvements made by the petitioner, and that he has been dispossessed by Fenwick, who gave the same to John Pledger. The court are requested to aid him in recovering it. They order that the case be first examined by the court at Salem, and that Justice Outhout endeavour to make an end of it; if not, to be transferred in writing for further examination.²

The court empower John Moll, Captain Cantwell, and the clerk, E. Herman, to represent the court at New York, as well in defence of the court orders and sentences by them passed, as also humbly to request privileges and removal of grievances.³

Philip Pocock is appointed surveyor of tracts of land below Falls of Delaware, on west side, for several persons lately come out of England, destitute of land; his fees to be as in Maryland.

It appears that, in 1668, upon the petition of Cornelius Laersen and others, Governor Philip Carteret authorized the purchase of lands from the Indians, "lying on the east side of Delaware River, from Timber kill to Old Man's kill, together with a small island adjacent, called Ratkon's Island, with an intent and purpose to populate and inhabit the same, provided they shall be obedient to the laws of New Jersey," &c. Whether the purchase was then made does not appear, but under date of 15th November, 1679, is recorded the following acknowledged Indian deed, apparently for the same land. It is "from Ausawitt Woappeck, Jan Awieham, the sole Indian owners and proprietors of a certain parcel or neck of land called Kachkieekanehackin, lying and being on the east side of Delaware River, over against Maritties Hook, beginning on the west or lower end, with a creek called and known by the Indians by the name of Mattietcussing, and

¹ N. Y. Records; Breviat.

² New Castle Records, p. 109.

³ Ibid.; Breviat.

1679. by the Christians, 'the Old Man's kill,' and so up along the river side to the first small kill, called by the Indians Cachikikikanahacking, and so south-east into the woods, including all the lands and meadows between the said two creeks: consideration, 2 half-ankers of liquor, 2 guns, 2 matchcoats, 4 double-handsful of powder, 2 kettles, 4 bars lead, 4 looking-glasses, 4 knives, and 4 awls, in hand paid by Hans Hoffman and Peter Jansen; as also more paid by Gurs Justasen for them, 1 gun, 1 anker beer, 1 bar of lead, 1 double-handful of powder."¹

December 5. Peter Jegou sues Thomas Wright and Godfrey Hancock for a "trespass upon the case," which is thus stated on the records:

Suit of Peter Jegou against Wright, for lands opposite Burlington. Decision.

"The plaintiff, Jegou, declares, that in the year 1668, he obtained a permit and grant of Governor Philip Carteret, to take up the land called *Leasy Point*, lying and being over against Mattinicum Island and Burlington, to settle himself there, and to build and keep a house of entertainment for the accommodation of travellers; all which the plaintiff accordingly hath done, and moreover hath purchased of Cornelius Jorissen, Jurian Marcelis, and Jan Claessen, each their houses and lands at '*Leasy Point*,' aforesaid, which was given them by the Dutch governor, in the year 1666; for all which, Governor Carteret promised the plaintiff a patent, all which said houses and lands the plaintiff had in lawful possession until the year 1670, at which time the plaintiff was plundered by the Indians, and by them utterly ruined, as is well known to all the world, so that the plaintiff then for a time was forced to leave his land and possessions aforesaid, and to repair his losses in other places, and to leave his land as aforesaid, with the intention to return when occasion should present. But now, for it is, may it please your worship, that with the arrival of these new-comers called '*Quackers*,' out of England, those defendants, Thomas Wright and Godfrey Hancock, had violently entered upon your plaintiff's said land, and there have by force planted corn, cut timber for houses, mowed hay, and made fences, notwithstanding they were forewarned by your plaintiff's friend, Henry Jacobs, in your plaintiff's behalf, in the presence of Captain Edward Cantwell, and afterwards by the plaintiff summoned before the magistrates of Burlington, who making no end of it, the case

¹ New Castle Records; p. 306.

was, by the said magistrates and those defendants' consent, removed here before your worships; whereupon the plaintiff humbly craves your worships to order the defendants, and all others, not to molest the plaintiff in the quiet possession of his said land, &c. 1679.

"The defendants declared to be very willing to stand by the verdict and judgment of the court.

"Whereupon the court, having heard the debates of both parties, and examined all the papers, are of opinion, that since Mr. Peter Jegou had Governor Carteret's grants, and was in quiet possession of the land before ever the land was sold by Sir John Berkley unto Edward Billing, and that he, the said Jegou, hath also bought the land, and paid the Indians for the same, that therefore Mr. Peter Jegou ought peaceably and quietly enjoy the same land and appurtenances, according to grant and purchase."¹

From the description, this land would appear to have been somewhere in the neighbourhood of Bristol. Jegou's house of entertainment was probably well known, for it will be recollected that it is mentioned as a stopping-place when Governor Lovelace was about visiting the Delaware in 1672, (page 396.)

"It being represented to the court, by the churchwardens of Tinnicum and Wiccaco churches, that the fences about the church and other church buildings are much out of repair, and that some of the people, members of said churches, are neglective to make the same up, &c. The court having taken the premises into consideration, do find it necessary to order, and authorize and empower, and do here, by these presents, order, authorize, and empower the respective churchwardens of the said two churches of Tinnicum and Wiccaco, to order and summon the respective members of the said churches, as from time to time, and at all times when it shall be found necessary, to build, make good, and keep in repair the said churchyard fences, as also the church and all other appurtenances thereof, and if any of the said members, upon warning, do prove neglective in doing their proportion to the same, they, and each of them, to forfeit 50 guilders for each such neglect, to be levied out of their goods and chattels, lands and tenements."²

December 5.
Churches of
Tinnicum
and Wiccaco
out of re-
pair. Order
of court to
the members
to have it
done, under
penalty, to
be levied on
their effects.

Albert Hendricks, of *Lamoco*, transfers to John Test, of

¹ Upland Court Records, p. 126.

² Ibid. p. 241.

1679. Upland, his land at head of Upland Creek, beginning at *Robert Wade's* marked *beech tree*, part of a greater conveyed by patent from governor, and called *Lamoco*.

Various grants at Pempacean and Poetquissing, Upland, &c.¹

First born
child, R.
Buffington.

In this year was born Richard Buffington, son of Richard, he being the first born Englishman in Pennsylvania. The facts in this case were peculiarly commemorated in the parish of Chester, on 30th May, 1739. The father, having then attained his eighty-fifth year, had an assemblage of his descendants, to the number of 115 persons, convened in his own house; the first-born was then present, in his sixtieth year.²

Dec. 13.

Walter Wharton's death is referred to.³

Grants of
land in
Bucks coun-
ty.

Various grants of land this year, by Andross, in Bucks county. The names of settlers, the vessels in which they and their servants came, and other particulars, are there on record.

1680.

Feb. 14.

The court at New Castle address a letter to the governor, at the special "request of the planters, inhabitants of that county, who are debtors to his excellency in wheat for the quit-rents on their lands, being often before, and now of late publicly warned by the receivers to pay their quit-rents without further delay, this spring, or suffer the penalty expressed in his excellency's former orders." They "declare they have no wheat, and nothing else than tobacco," which Mr. Harman (the receiver) refuses to receive, he having no orders to do so; they therefore "most humbly request that his excellency will be pleased, according to his wonted goodness, to allow them to pay their said quit-rents in tobacco, at such a reasonable rate as his excellency shall be pleased to put thereon, the custom being in the neighbouring colonies *2d.* per pound, otherways several persons will necessarily forfeit their lands and livings."

Inhabitants
have no
wheat to pay
taxes with.

Petition to
pay in to-
bacco.

Question
with regard
to quit-rents
on certain
lands,

"Furthermore, (the court say,) we most humbly request your excellency to direct us whether quit-rents must be paid for lands forfeited for want of settlement, that is to say, if those as do afterwards obtain the same forfeited lands are liable to pay the arrear of quit-rents of the first possessor,

¹ Upland Records.

² Watson's Annals, vol. i. p. 512.

³ New Castle Records, lib. B.

from the time of its first taking up, or not; and also whether those who have forfeited the lands for want of settlement, and themselves requesting a new grant for such their forfeited lands, (if not granted before their request to others,) are to be preferred, if they will make present settlement; and also the longest time we are to allow for settlement of the lands.” 1680.

“The court also present the case of a person who, having been employed in the time of the commander, and since as a soldier, to look after the fort arms and ammunition, being ancient and very poor, asks for some pay; they ask if he shall be longer continued as a soldier, and also, whether the fort, or house of defence here, (which wants very much repair,) must be repaired, and how the means thereof shall be found.”

Poor soldier
at the fort
asks for pay.

Repairs
wanted.

“The enlargement of the county up and downwards, as far as S. Jones’s, is recommended as necessary for the convenience of the people.”¹

Enlarge-
ment of
county re-
commended.

This year Bishop Compton found, upon search, that there were but four ministers of the Church of England in North America, and only one or two regularly sent over. He therefore made proposals to several places to supply them with clergymen.²

But four
ministers of
the Church
of England
in North
America.

Court call on inhabitants to pay up quit-rents.

February 14.

An appeal is taken from the judgment of the court at Salem, about a piece of land called Quiettetting; plaintiff, M. Barron, against Lefevre and Pledger, defendants. The plaintiff alleges that he had a grant from Governor Carteret, long before the division of the province, and that he purchased the land from the Indian proprietors; that it was confirmed to him by John Edmunds and William Tom, Major Fenwick’s agents, and by their order surveyed by Henry Parker, surveyor. That he had for several years made improvements, and beginning of settlement, but was hindered by Fenwick’s threats. That the Indians, when they sold the other lands to Fenwick, exempted then what they had before sold to others. The defendants reply, that Quiettetting, and about 6000 acres, were sold to them by Fenwick, and surveyed to them by his order, and that they have had three years’ quiet possession. That the plaintiff forfeited by not settling in due time. One “Saunders, a Quaker, declares, that last fall, he having made a small house at Quiettetting, by Pledger’s order, three Indians came in a rude manner, and said, that in six ‘sleeps’

March 12.

Suit about
Quiettetting.

¹ New Castle Records.

² Humphreys, p. 8.

1680. more, Barron would come and make a wigwam on the land." Justice Outhout, sworn in court, declares that in 1675, he was present, when Fenwick bought the lands of the Indians, and that the bargain was, he was to have all the lands except what they had sold, &c. The court submit it to a jury, who decide for the defendants.¹

March 20.
Surveyor of
Upland.
Israel Helm
sells.

Richard Noble produced his commission from Governor Andross, as surveyor of Upland, dated December 15, 1679.

Israel Helm transfers his house, land, and plantation, at Upland, to James Sanderling.

Court fees.

The law allows the court 2s. 6d. for every judgment given, and the court being in great want of money to pay and defray their necessary charges of meat and drink, &c., the sheriff is ordered to collect.²

April 15.

John Yeo is charged with and tried for mutinous expressions against the duke, the town, the court, &c. He is acquitted by a jury.

May 22.

R. Hutchinson, though banished, is permitted by Andross to return for a few days, on his private business, he to comport himself.

No person to sell under half-anker of liquor to Indians, under penalty of 200 guilders; one-third to informer, one-third to sheriff, and one-third to church.³

June 3.

Commission
of Duke of
York to
John Levin,
to examine
into his af-
fairs and in-
terests in
this country.

The Duke of York sends a person named John Levin, with very extensive powers, to investigate the situation of his interests in this country. Levin was instructed, by his commission, "as my agent and servant in New York and Albany, and other my lands and territories in America, and therefore you are, with the first opportunity of shipping bound for those parts, to take your passage for New York, and on your arrival there you are, by all good and reasonable ways and means, to apply yourself to inquire and find out all the estate, rents, and revenues, profits and perquisites, which in any sort do of right belong and appertain to me, and arise in any of those places, and to examine all books and papers, and records, and other matters relating thereunto; and to that end I authorize and empower you to demand, ask, and receive of and from all and every of my officers and servants, or any other employed in any places of trust belonging to me, all books, papers, writings, records, registers, accounts,

¹ New Castle Records, p. 184.

² Upland Records.

³ New Castle Records, lib. B. p. 219.

and all other things which may tend to the discovery or manifestation thereof, and I do hereby require and command all my said officers and others employed in any such places and trusts, to produce and show unto you, and to suffer you to have the free and full use of them, so often and so long as you shall think fit, and have occasion for the same; and I do also further authorize, empower, and require you, in a more especial manner, to inquire and find out whether the free trade of any of the inhabitants of those places, or any merchants trading thither, now is, or hath been lately, so obstructed or hindered, and how, and by what methods, the trade and traders in those places may be encouraged and increased, it being my real intentions and desire to encourage and advance the ease and benefit, and advantage of trade, and the merchants and inhabitants there; and for the better executing of this trust which I have reposed in you, I do require you to observe and follow such directions as you shall herewith receive. Given under my hand and seal, at Windsor, 24th May, 1680. 1680.

JAMES.

“By command of his highness.—John Werden.”¹

The instructions to Mr. Levin commence with assigning reasons for sending him; to ascertain state and condition of those places for trade, &c., and parts and branches of revenue, and other profits, certain, or incidental or casual, “as I am proprietor of said places;” also of rent, expenses and charges for their support. June 3.
Instructions
for Levin.

On his arrival at New York, he is to apply to Andross, and demand to be sent him such persons, and books and papers, relative to customs, &c.; “if in his possession, demand them of him, and let him know it is my pleasure to deliver them to you.”

2d. Same respecting lands, from all which you are to make a statement, what rent or tax every person at New York, Esopus, Albany, Long Island, and all other places do or ought to pay; how and when due and paid; amount; who hath received it for six years past; for what use paid; profit from weigh-houses; value of tap licenses; why a difference between New York and Long Island for raising money; inquire for six years past, is there a poll-tax; fines, forfeitures, and seizures; largest income from customs; look out for frauds; what customs on exports and imports, especially tobacco, rum, and

¹ New Castle Records, p. 313, and London Documents, vol. iii. p. 1.

1680. other liquors; inquire what number of whales killed in six years; whalebone, oil, and "what my share," and whether I get it, or who does; what value of goods exported from England to New York: how many ships for America, and from Holland, &c.; expenses of government for six years; what obstacles to trade, and what encouragement wanted.¹ From which it would appear he had undertaken a pretty serious business.

By a letter of the same date, informing him of Mr. Levin's appointment, Governor Andross is instructed to go to England, on Mr. Levin's arrival, and to leave Lieutenant Brockholls in charge of the government. (See November 25.)²

Governor Andross commissions justices of the peace for the several districts of Delaware, viz.

June 7. For *New Castle* and dependencies, John Moll, Peter Alricks, Gerrit Otto, Johannes De Haes, and William Semple.

Justices for the three lower counties. For *Upland* court or county,³ Otto Ernest Cock, Henry Jones, Israel Helm, Lasa Cock, and George Brown.

For *St. Jones* and dependencies, from south side of Duck Creek to north side of Cedar Creek, Francis Whitwell, John Hillyard, Robert Hart, and Edward Pack.

For *Whorekill* and dependencies, beginning at south side of Cedar Creek, downwards, Luke Watson, John Roades, John Kipshaven, Otto Woolgart, or Woolast, [Breviat,] and William Clark.⁴

June 11. A grant to Ephraim Herman, of lands formerly granted to John Morgan and John Derney, who did not improve them, and are since dead, lying on west side of Delaware, towards the mouth, between land of Morris Liston and Duck Creek, (near Bombay Hook,) 300 acres each.

June 22. Ephraim Herman is appointed surveyor for New Castle and Jones, in place of Philip Pocock, deceased, "to survey and lay out land as a surveyor ought to do," according to warrants from governor, or on extraordinary occasions, for the benefit of the place, to fit persons, making due return to the secretary.⁵

June 18. The commissions of the justices at Upland are renewed for

¹ London Documents, at Albany, vol. i. p. 3.

² Ibid. p. 12.

³ This is said, in Breviat, quoting from N. Y. Records, to be "the first commission for this new county of Upland."

⁴ New Castle Records. Albany Records. Reg. Penns. vol. iv. p. 81.

⁵ Ibid. Reg. Penns. vol. iv. p. 87.

a year, viz. Otto Ernest Cock, Israel Helm, Henry Jones, 1680.
Lauren Cock, and George Brown.

The court order, that for defraying the charges of the sittings of the court, each person is to pay one schipple of wheat per year, or 5 guilders, according to former orders.

Levy for
courtex-
penses.
Court moved
to town of
Kingsesse.

Upland Creek, where the sessions of the court had heretofore been held, being at the lower end of the county, they resolve, "for the greater ease of the people," for the future, to sit and meet at the *town of Kinsesse*, on the Schuylkill.

A *thresh-house*, and J. Nelsen's *garden*, at Kingsesse, are spoken of as on land granted by Sir R. Carr, June 4, 1673.¹

A thresh-
house at
Kingsesse.

Governor issues a warrant to Sheriff Cantwell, requiring him to summon Jacob Young to appear personally before governor and council at New York, to answer for presuming to treat with the Indians in this government, without any authority, to the disturbance thereof.²

June 22.
Warrant
against J.
Young, for
treating
with In-
dians.

Having traced the history of the settlements along the Delaware from their origin, and furnished incidents sufficient to mark their progress, we have reached the period in which we have a more special interest. William Penn, as has been partially seen, became, a few years since, associated with others in the settlement of Jersey, thus affording to him the means of obtaining much accurate information with regard to the country generally. Much of his life, hitherto, had been passed in religious controversies and visits, and sufferings arising out of them, a full account of which will be found in Clarkson and other writers, who have made it their business to present a view of his whole life. Our duty is with his acts in reference to the settlement of our own state. In 1670, he lost his father, whose death placed him in possession of an estate estimated to be worth, at that time, not less than £1500 a year. Two years after, he, in the twenty-eighth year of his age, married Gulielma Maria Springett, daughter of Sir William Springett, said to have been a lady of great beauty and sweetness of disposition. He took up his residence at Rickmansworth. For several years, he appears to have devoted much of his time to the duties of his ministry. In 1675, he first became connected with affairs in Jersey, becoming more and more engrossed with them, down to this year, when he began seriously to think of winding up the estate of his father. The government, it appears, was in-

June 24.

Death of Ad-
miral Penn.

Marriage of
Wm. Penn.

¹ Upland Records.

² Albany Records; Penn's Breviat.

1680. debted largely to his father for money, as well as services, amounting, with interest, to about £16,000, in lieu of which, the government being unable or unwilling to settle with him in money, he proposed to receive land in America, and accordingly presented a petition to King Charles II., asking the issue of letters-patent for it. The entire petition is not in existence, but, in a mutilated state, was presented on the trial between Penn and Lord Baltimore, in 1735, in the following form, as we find it on the Breviat of the evidence.¹ (June 14.)

He presents
to the king a
petition for a
grant of
Pennsylvania.

Copy of a
fragment of
the petition.

For the
The Humble ad
son to Sir W

Sheweth

That having
in Ireland by the oppression of the lord
decease (though most of it remitted by
to borrow every penny of it by reason
England was under the stop of the Ex
with the growing interest of it, and ye
for the relief of his own and his mother's
Ruine

He humbly prays that
that princely respect he of
his compassion to the afflicte
America, lying North of M
River on the west, limmit
extend as far as plantable
he doubts not by his intere
profitable plantation to the
to raise that speedy and sufficient
incumbrances that he may
Debt of, at least 11000£ and be
and time as shall be most
And²

From the time of the presentation of Penn's petition to the king, for a grant of lands in America, to that of his obtaining a charter, a long and searching course of proceedings took place, as will be seen by extracts from them.

¹ Clarkson's Life of Penn. Proud, &c.

² Breviat, p. 51.

At a meeting of the lords of the committee of the Privy Council, for the affairs of trade and plantations, present, Lord President Duke of Albemarle, Bishop of London, and Secretary Jenkins, “the petition of William Penn, referred, by an order from the Earl of Sunderland, of the 1st instant, is read, praying, in consideration of debts due to him or his father, from the crown, to grant him letters-patent for a tract of land in America, lying north of Maryland, on the east bounded with Delaware River, on the west limited as Maryland, and northward to extend as far as plantable; whereupon Mr. Penn is called in, and being asked what extent of land he will be contented with northerly, declares himself satisfied with three degrees to the northward, and that he is willing, in lieu of such a grant, to remit his debt due him from his majesty, or some part of it, and to stay for the remainder till his majesty shall be in a better condition to satisfy it.” Ordered, “that copies of the petition be sent unto Sir John Werden,” and to the agents of the Lord Baltimore, “to the end that they may report how far the pretensions of Mr. Penn may consist with the boundaries of Maryland, or the duke’s propriety of New York, and his possessions in those parts.”

1680.

June 24.

Proceedings
of lords of
trade and
plantations
on Penn’s
petition.

Letters were accordingly addressed, by Secretary Blaythwaite, to Sir John Werden, and the agents of Lord Baltimore, enclosing a copy of the petition. (June 14.)

The petition of Mr. Penn is again read; also a letter from Sir J. Werden, and one from Lord Baltimore’s agent. Mr. Penn was then called in, and “told, that it appearing from Sir John’s letter, that part of the territory desired by him is already possessed by the Duke of York, he must apply himself to his royal highness for adjusting their respective pretensions, and Mr. Penn being also acquainted with the matter of the letter from the Lord Baltimore’s agents, he does agree that *Susquehanna Fort* shall be the bounds of the Lord Baltimore’s province; and as to the furnishing of arms and ammunition to the Indians, Mr. Penn declares himself ready, to submit to any restraints their lordships shall impose.

The following are the letters referred to in the preceding.

Sir John replies: after excusing his delay by absence, he says, “that by all which I can observe of the boundaries mentioned in Mr. Penn’s petition, they agree well enough with that colony or plantation which has been hitherto, (ever since the conquest of New York, by Colonel Nicholls,) held

July 5.

July 3.

Letter of Sir
John Wer-
den.

1680.

as an appendix and part of the government of New York, by the name of *Delaware Colony*, or more particularly, *New Castle Colony*, that being the name of a principal place in it, the whole being planted promiscuously by Swedes, Finlanders, Dutch, and English, all of which hath been actually under the government of his royal highness's lieutenant at New York hitherto, but what are its proper boundaries, (those of latitude and longitude being so very little known, or so ill observed, as experience tells us, in all the *West Indies*;) I am not able to say; if this be what Mr. Penn would have, I presume the right honourable the lords of the committee for trade and plantations will not encourage his pretensions to it, because of what is mentioned, which plainly show the duke's right preferable to all others, (under his majesty's good liking,) though it should not prove to be strictly within the limits of the duke's patent; but if it be any other parcel of land unimproved in those parts, which is without all other patents, and not interfering with the possessions of his majesty's subjects already settled there, I humbly submit to their lordships how far they may think convenient, (under fitting restrictions and qualifications,) to tie up the government of such new colonies, as near as may be, to the laws of England, to recommend the petitioner's request to his majesty." (June 23, 1680.)¹

Letter of the
agents of
Lord Balti-
more.

Messrs. Barnaby Dunch and Richard Bürk, the agents of Lord Baltimore, say, "It is desired, that if the grant pass unto Mr. Penn, of the lands petitioned for by him, in America, that it may be expressed to be land that shall be north of Susquehanna Fort, also north of all lands in a direct line between the said fort and Delaware River, and also north of all lands upon a direct line westward from said fort, for said fort is the boundary of Maryland northward. It is further desired that there may be contained general words of restriction as to any interest granted to the Lord Baltimore, and saving to him all rights granted. It is also prayed that my lord's council may have a sight of the grant, before it pass.

"On a public account, it is offered, that some due caution be provided, that no arms, powder, shot, or ammunition, be sold, by any that shall settle in this new plantation, to the

¹ Votes of Assembly, vol. i. Penn's Breviat. Reg. Penns. vol. i. p. 270.

Indians or natives, for hereby a common mischief may happen unto all his majesty's neighbouring plantations."¹ 1680.

About this time, probably, commenced the foreign commerce by the English settlers from the Delaware, as Mahlon Stacey to a friend in England writes, "that Burlington will be a place of trade quickly, for here is way for trade. I, with eight more, last winter bought a good ketch of 50 tons, freighted her out at our own charge, and sent her to Barbadoes, and so to sail to Saltertugas, to take in part of her lading in salt, and the rest in Barbadoes goods, as she came back; which said voyage she hath accomplished very well, and now rides at Burlington, discharging her lading, and so to go to the West Indies again, and we intend to freight her out with our own corn."² July 6.

Voyage from Burlington to West Indies.

The same writer says, "we have wanted nothing, since we came hither, but the company of our good friends and acquaintance." "I live as well to my content, and in as great plenty as ever I did, and in a far more likely way to make an estate."³ Comfortable condition of the settlers.

"About this time, Olive had built his water-mill on his plantation nigh Rancocas Creek, and in this year, Stacey finished his mill at Trenton. The inhabitants had hitherto either pounded their corn, or ground it with hand-mills. These two mills were the only ones that ground for the country, several of the first years after their arrival."⁴ Mills at Rancocas and Trenton.

"An original deed of sale, (upon a half sheet of paper,) whereby Kanockere, Alom, Eliggene, Nogcotto, Towis, Wip-paycam, and Winappanegge, for themselves and their heirs, alienate, bargain, and sell unto Mr. John Moll, of the town of New Castle, on Delaware River, *in the behalf of all the inhabitants dwelling at Case and Broett Islands*, Red Clay Creek and White Clay Creek, quite unto the falls thereof, which are already settled, and shall settle hereafter, upon any of said islands about Christina Creek, as far as the precincts of Maryland, the land called Musser Cripple therein included, to hold free of the claims of all Indians and their heirs; and that for a valuable consideration, on real satisfaction, paid to the Indians by said John Moll, as well for his own proper account as also for the proper account of all the present and July 20. Indian purchase. New Castle, &c.

¹ Votes of Assembly. Penn's Breviat. Reg. Penns. vol. i. p. 270.

² Stacey's Letter, in Smith's N. J. p. 114.

³ Ibid.

⁴ Ibid. (note.)

1680. all future settlements and inhabitants in those parts. Given under customary marks, in New Castle, July 10, 1680."¹

August 16. Duke of York transfers West Jersey. The Duke of York conveys by deed, to Edward Byllinge, William Penn, G. Lawrie, N. Lucas, John Eldridge, and Edward Warner, all the territory of the province of West Jersey.²

August 31. No other tax than in 1677. Empty treasury. The justices of New Castle write to New York, that there never was *any* other tax or public levy at New Castle than in 1677, which was with his own (governor's) approbation, and on account of wolves' heads. Captain Collyer charged 25 per cent. for collecting the wolf, dyke, and fine money, "and for the rest of Captain Collyer's account, we know not what way it may be paid, having now, nor before, any cash or public store to pay the same." It was afterwards (Oct. 4) ordered to be paid out of quit-rents due from him, &c.³

October. Complaints against duties at Whorekill. Application for their removal, and success of it. In the time of Governor Lovelace, (see page 380,) a duty of £10 per cent., which had previously been laid, but for some time had been intermitted, was renewed by him, on all European goods imported at the Whorekill, and on all furs and peltry exported thence, and which had been exacted of all persons arriving in West Jersey. From the first they had complained of it as a great hardship, but as they had much increased, this duty amounted to so considerable a sum as to become oppressive. The settlers therefore concluded to endeavour to have the evil remedied, and for this purpose addressed themselves to the trustees of Byllinge, to apply to the Duke of York to have the duty removed, it being considered an arbitrary act on the part of the governor of New York. Accordingly, William Penn and the other trustees brought the subject to the notice of the duke, whose interests would suffer should the duty be abolished; the duke referred it to commissioners, where it continued for some time. A long argument was addressed to them,⁴ showing, that as the duke had received from the king, together with the land, among other powers, that of government, and that whatever rights and powers the duke possessed he had conveyed to Berkley and Carteret, and Berkley to Byllinge, and that no longer could the colony be subject "to any laws or impositions but

¹ Breviat; (Penn's Exhibits, P. F.) p. 50.

² Leaming & Spicer, p. 412. Mulford, p. 191.

³ New Castle Records, in Penn's Breviat, p. 30.

⁴ Smith's N. J. p. 117, &c., where see the arguments at length. Also, Mulford, p. 185, &c. Clarkson, vol. i. p. 201.

those made by itself or Great Britain." The commissioners referred the subject to the attorney-general, Sir W. Jones, who decided in favour of the colonists. The result was officially made known to the governor of New York, and the duty removed this year. 1680.

Robert Willing was fined 500 pounds of tobacco, to the use of the public, and to keep the peace one year and one day, by the court, St. Jones's, for "abusing his royal highness's justices of the peace, by saying he wondered the Duke of York was such a fool as to make such inconsiderable sons of whores justices."¹ October 2. Man fined for speaking against his royal highness.

Balance of account of £59, 16s. 7½d. to be paid by sheriff to E. Cantwell, "out of arrears due for quit-rents from himself and others, particularly for two parcels of land in Ap- October 14. Balance to be paid Cantwell. quinimy, of 800 and 900 acres, formerly taken up and patented by him in 1676."²

There are several appeals from Delaware courts to court in New York, and one case of appeal from the judgment of the court to England. October 16.

John Moll, justice, and president of New Castle court, is called by Abraham Mann to answer an indictment for words spoken in court, and at other times. The jury find him guilty of speaking the words in 1st and 2d articles, and of denying execution, and acquit him of the rest. The court adjudge said indictment illegal and vexatious, and that Moll, by what is found against him, is not guilty of any crime, or breach of any known law, therefore acquit him, and order Mann to pay costs of court. Mann moved for an appeal to England, which is granted, he giving sufficient security to the value of £1000, to prosecute the same, and paying damages, if cast.³ Cases of appeal to New York and England, on judgment of court differing from verdict of jury.

John Richardson having obtained, at the court of assizes, a judgment for land he hath seated and improved, and having a considerable number of hands, 1200 acres are to be laid out for him adjoining to the above, including the same on direct lines, according to the regulation. Also, 1200 for John Stevens; both to have, if possible, benefit of the water as well as land roads.⁴ October 21. Large bodies of land to John Richardson and John Stevens.

The court, "finding it necessary for the due preserving of October 23.

¹ Kent Records, in Penn's Breviat.

² New Castle Records. Albany Records. Reg. Penns. vol. iv. p. 81.

³ New York Records; Breviat.

⁴ Ibid.

1680. the peace," appoints *another* constable to officiate between the Schuylkill and Neshaminy, viz. Erick Cock, for one year.

John Cock and Lasse Dalbo are appointed overseers of highways and roads, and viewers of fences, through the county.

October 26. Ephraim Herman and Laer Cock have 552 acres surveyed on "*Hotaorckon Creek*," on west side of Delaware, and A. Petersen his land at Kingsesse.¹

Second letter from Sir John Werden, expressing his royal highness's, and his majesty's assent to his petition. Sir John Werden again writes to the secretary, and after referring to his former letter, says, "Since then, Mr. Penn hath represented to the duke his case and circumstances in relation to the reason he hath to expect favour from his majesty, touching that request of his, to be such, as that his royal highness commands me to let you know, in order to your informing their lordships of it, that he is very willing Mr. Penn's request may meet with success; that is, that he may have a grant of a tract of land which lies on the north of New Castle colony, part of Delaware, and on the west side of Delaware River, beginning about the latitude of 40°, and extending northward and westward as far as his majesty pleaseth, under such regulations as their lordships shall think fit."²

Nov. 14. At the next meeting of the committee, at which ten earls, &c. were present, the petition of Mr. Penn is again read, "desiring that a day may be appointed for preparing a grant unto him, of propriety in a tract of land in America, upon Delaware River." Next Thursday is appointed for the purpose.

Nov. 18. A letter from the secretary of the committee to the attorney-general, stating that his majesty has referred to them William Penn's petition, transmitting a draft of a grant of a tract of land for settling a colony and plantation in America, which he desires may pass to him for the government of that colony, have commanded me to signify their desire unto you, that upon consideration of the powers therein proposed, you report upon them, whether you have any thing to object against the same. The committee will meet on Thursday next.³

Nov. 21. A deed is on record of this date, from Meghacksett, chief

¹ Upland Records.

² Votes of Assembly, vol. i. Penn's Breviat. Reg. Penns. vol. i. p. 270.

³ Votes of Assembly, vol. i. p. xiii., &c. Reg. Penns. vol. i. pp. 269, 273.

sachem of Cohanzey, and natural owner of all the lands lying between Duck Creek, called by the Indians *Quinquingo Cipus*, and Apoquinimy Creek, for 2 half-ankers of drink, 1 blanket, 1 matchcoat, 2 axes, 2 knives, 2 double handfuls of powder, 2 bars lead, and 1 kettle, paid by Ephraim Harman; land lying on west side of Delaware, beginning at a creek near the land of *Morris Liston*, by the Indians called "*Winsacco*," and so along the said creek through the cedar swamp, &c.

1680.

Purchase from Indians, of lands between Duck Creek and Apoquinimy.

The attorney presents to the committee his observations on Mr. Penn's patent. Nov. 21.

Whorekill applies to the governor for a court-house, prison, stocks, and whipping-post, for public service, to be built by taxes. Granted as to prison and stocks.¹ Nov. 23.

Governor Andross intending to sail for England, informs the justices that he will leave Captain Anthony Brockholls, his lieutenant, without any other alteration. He likewise excuses them from attending a court which he had appointed at New York, on account of the distance and the season of the year. He notices also the arrival of Mr. John Levin, "a gentleman sent by his royal highness, authorized to inspect the revenue, as per his commission," of which he sends them "a copy, to be observed accordingly," and recommends to them care in their several stations, to preserve and continue the public welfare. He did not depart till next year.² (See January, 1681, for commission to Brockholls.) Nov. 25.

Andross going to England, leaves Brockholls as lieutenant. Mr. Levin arrived.

Application is made by sixteen persons, to the court of St. Jones county, to take up 9500 acres of land. The court grants it, and makes an order that all persons taking up lands, in default of settlement and improvement within one year after date of survey, shall forfeit their interest in the same.³ Nov. 27.

Land regulation. Large body of land applied for.

A letter from the secretary of the committee to Sir John Werden, alludes to his heretofore sending to him Mr. Penn's petition, and receiving his reply. He now sends, by his lordship's order, an extract of the patent which he is soliciting, so far as concerns the boundaries, to the end he may state his objections in behalf of his royal highness, if he sees cause. The committee will meet on Tuesday. Nov. 28.

Boundaries referred to attorney-general.

He also writes to the agents of Lord Baltimore, informing

¹ N. Y. Records, in Breviat.

² Reg. Penns. vol. iii. pp. 32, 33; vol. iv. p. 81. Breviat. Sussex Records.

³ Kent County Records, in Breviat, p. 51.

1680. { them their lordships had seen a draft of the letters-patent to Mr. Penn, which he alleges was put into their hands according to directions, to receive their objections. The committee to meet on Tuesday, and that in case they have nothing to object, they will thereupon take their final resolutions.¹

Nov. 30. Letter from Sir John Werden to the secretary, acknowledges receipt of letter of 18th, and a part of Mr. Penn's patent:

Letter of Sir John Werden on the patent. "In cases of this nature, it were most proper to have the advice of counsel learned in the laws, for settling the boundaries of any new patent, but in regard I remember well the duke's directions expressed in a former letter, (16th October,) I shall frankly tell you my thoughts therefor, viz. that I believe the description by lines of longitude, (especially,) and of latitude, are very uncertain, and so also is it, under what meridian the head of the Delaware River lies, which I do believe hath never yet been observed by any careful artist; but it being the duke's intention that Mr. Penn's grant be bounded on the east side by Delaware River, and that his south limits be twenty or thirty miles beyond New Castle, (which colony of New Castle is northward, and distinct from Maryland, that being under the jurisdiction of Lord Baltimore,) which extent northward of New Castle colony, we guess, may reach as far as the beginning of the 40th degree of latitude; therefore, if Mr. Penn's patent be so worded as to leave New Castle twenty or thirty miles beyond it, free, and to be bounded on the east by Delaware River, I think this is all the caution that needs as to the duke, who will not concern himself how far north or west Mr. Penn's patent takes in."

Dec. 3. Another letter from Werden. Interview with Penn. Sir John Werden writes to the secretary, "that Mr. Penn having often fallen into discourse with me of his concerns in America, since I wrote on Saturday, I have told him the substance of what I had written, and he seems to fear that if his south limits be rightly set at twenty or thirty miles north from New Castle town, he shall have so little river left, as very much to prevent the hopes he hath of improving the rest within his patent; but on the other side, he is willing that twelve English miles north of New Castle be his boundary, and believes the distance will fall under the beginning of the 40th degree of latitude, I have already signified to

¹ Votes of Assembly, vol. i.

you all I know of the duke's mind herein, which is in general to keep some convenient distance from New Castle northwards, for a boundary to that colony, but I confess I do not understand why it is precisely necessary to insist on just such a number of miles, more or less, in a country of which we know so little, and when all the benefits are intended to this patentee which others enjoy; so I submit the point to your lordships' consideration, and do not think it material to add more."¹ (November 23.) 1680.

Was "*born* in Bucks county, (Dec. 13,) *Mary*, daughter of Lyonel and Elizabeth Britton. She is, so far as known, the *first born* of English parents in the present state of Pennsylvania, as may appear from a record in the register's office at Doylestown, in the handwriting of Phineas Pemberton, formerly register of said county. Her parents came from Alney, Bucks county, England, and arrived in the Delaware in the ship '*Owner's Advice*,' George Bond, master, and settled in Bucks county, 4th month, 1680."²

Dec. 23.
Another
first-born
child.

There are several claimants to this honour, as will appear hereafter.

The governor of New York changes the name of the town and county of *Whorekill* to that of *Deal*. The court records it, and orders and decrees that they be so called from this day.³

Dec. 25.
Whorekill
county
changed to
Deal.

At a meeting of the council, Mr. Penn is called in concerning his patent. On reading the letters of Sir John Werden, touching the boundaries wherein his royal highness may be concerned, they think it best that Sir John should attend on Saturday, the 18th, and also Lord Baltimore's agents, both of whom were summoned, and desired not to fail to attend, as their lordships were then resolved to proceed to a resolution in that matter.⁴

Dec. 26.
Summons to
Werden and
Burk to at-
tend.

The attorney-general's answer to Mr. Penn's patent, says:

"I have considered the petition of William Penn, praying his majesty to grant unto him a tract of land in America, lying north of Maryland, bounded on the east by Delaware Bay, to the west by the Indian countries, as Maryland, and do not find that such boundaries do intrench upon the Lord

Answer of
the attorney
general on
Wm. Penn's
patent.

¹ Votes of Assembly, vol. i. pp. 269—273.

² Bucks County Records; for which I am indebted, as well as for other facts, to the kindness of William Carr, Esq., Doylestown.

³ Sussex Court Records, in Breviat.

⁴ Votes of Assembly, vol. i.

1680. Baltimore's province of Maryland, which is bounded south by a part of Virginia, east by the main ocean and Delaware River, and north by that part of Delaware River, which lieth in the 40th degree of latitude, and so by a direct line westward through the continent.

Dec. 26.

Further proceedings in Penn's case.

“And the patent granted to his royal highness of New York being bounded west by the east side of Delaware Bay, is sufficiently distinguished from the grant desired by Mr. Penn, which is bounded eastward by Delaware River or Bay, so that the tract of land desired by Mr. Penn seems to be undisposed of by his majesty, except the imaginary lines of New England patents, which are bounded westwardly by the main ocean, should give them a real, though impracticable right to all those vast territories.

“But I am further to offer unto your lordships, that there are several Dutch and Swedish plantations which have been under the English government, that lie scattered on the westward of Delaware River, and some of them perhaps within the bounds of Mr. Penn's petition, and have for a long time either acknowledged the protection of his royal highness, who took them from the Dutch, upon the conquest of New York, or of the Lord Baltimore, near whose borders they are settled, and how far Mr. Penn's grant may, in this consideration, concern his neighbours, is most humbly submitted to your lordships.”¹

Dec. 31.
St. Jones divided from Whorekill.

Between this date and the 11th of February last, the governor has pleased to divide *St. Jones* from *Whorekill* county.²

Grants of land.

On the petitions of thirty-three persons, the court, before the commissioner of Jones county, grant liberty to take up 18,663 acres of land.³

Rape.

A man ordered by court to be whipped for a rape; his punishment was commuted by a fine of £5, to be paid to the church.⁴

Marriages at Burlington.

Thirteen marriages had taken place at Burlington since its settlement.⁵

¹ Votes of Assembly, vol. i. Reg. Penns. vol. i. p. 274.

² Sussex Records, Breviat, p. 51.

⁴ New Castle Records, p. 273.

³ Kent Records, in Breviat.

⁵ Proud, vol. i.

1681.

Was born, December 24, 1680, on the site of the present Philadelphia, in a log house near the corner of the present Second and Walnut streets, a person who has usually been called by writers *Edward Drinker*, but who was probably named *John*, as he is so called in the obituary notices at the time of his death, in four different newspapers, where the fact of his being born on this spot is mentioned. He lived to the great age of 103 years; he died November 17, 1782. His parents are said to have come from Beverly, Massachusetts.¹

January 3.

Another first-born, Edward Drinker.

Governor Andross, probably preparing for his departure for England, commissions "Captain Anthony Brockholls² to be commander-in-chief of the militia in this city (New York) government and dependencies, during my absence, and in any civil matter requiring the same, with the council to act, for the continued welfare of his majesty's subjects, as a commander or chief officer may and might do, according to law and practice," &c.³

January 16.

Commission to Governor Brockholls.

Parret, the Indian sachamore, complains that Henry Bowman and others take his land and give him no satisfaction for it. The Sussex court orders, that every person that seats any land, shall pay the Indian proprietor, for 600 acres or under, one matchcoat, and if above 600, two matchcoats, and at the time of the Indians' receiving the coats, he is to convey the land to the person he receives the coats of; and if any person refuses to pay the Indians for the land, execution to be given out for the same, directed to the sheriff, to execute and pay the Indian. Parret, the Indian sachamore, acknowledges in open court that he has sold to Bowman 1000 and 700 acres, between Slaughter Bridge and Cedar Creek.⁴

Parret complains that he is deprived of his lands and not paid. Court fixes price of land.

Parret acknowledges a sale.

At a meeting of the committee, the boundaries of Mr. Penn's patent, settled by my Lord Chief Justice North, with the alterations of Sir John Werden, were read and approved, and next Wednesday appointed to review the whole patent. (January 15.)

January 25.

¹ Newspapers in. 1782, particularly Oswald's "Independent Gazetteer," Nov. 23.

² From the variety in the manner of spelling this name, it is difficult to know which is the correct one; sometimes it is Brockholls, at others, Brockholst, and Brockole; the latter is used by Chalmers, and Brodhead in his MSS. The one adopted is that used in the printed documents which we publish.

³ Reg. Penns. vol. iv. p. 82.

⁴ Sussex Records, in Breviat.

1681.

January.

Boundaries
as settled by
Chief Jus-
tice North.

The following boundaries were settled by Chief Justice North: "As the same is bounded on the east by Delaware, from the twelve miles distance northward of New Castle town, from the beginning of the 40th degree of north latitude unto the 43d degree of north latitude, if the said river doth extend so far northward, but if said river shall not extend so far northward, then by the said river so far as it doth extend; and from the head of said river, the eastern bounds are to be determined by a meridian line, to be drawn from the head of the said river unto the said 43d degree of latitude, the said lands to extend westward five degrees in longitude, to be computed from the said eastern bounds; and the said lands are bounded on the north by the beginning of 43d degree of north latitude, and on a circle drawn at twelve miles distance from New Castle, north and westward, unto the south, by the beginning of the 40th degree of north latitude, another by a straight line westward, to the limit of longitude above mentioned, excepting all lands within twelve miles of the town of New Castle, that shall happen to lie within the said bounds now in possession of his royal highness, or his tenants and assigns."¹

Correspond-
ence be-
tween the
Friends.

In this year commenced the first regular correspondence between the monthly meeting of Friends at Burlington, and the yearly meeting in London.²

February 1.

Patent again
referred to
Chief Jus-
tice North,
to insert
clauses re-
specting so-
vereignty,
customs, &c.

"Upon reading the draft of a patent for Mr. Penn, constituting him absolute proprietary of a tract of land in America, northerly of Maryland, the lords desire Chief Justice North to take said patent into his consideration, and to provide, by fit clauses therein, that all acts of sovereignty, as to peace and war, be reserved unto the king, and that all acts of parliament, concerning trade and navigation, and his majesty's customs, be duly observed, and in general, that the patent be so drawn, that it may consist with the king's interest and service, and give sufficient encouragement to planters to settle under it." (January 22.)

Bishop of
London asks
that Penn
shall admit
a chaplain
of his ap-
pointment.

A paper was "also read, wherein my Lord Bishop of London desires that Mr. Penn be obliged, by his patent, to admit a chaplain of his lordship's appointment, upon the request of any number of planters; the same is also referred to the Lord Chief Justice North."³

¹ Votes of Assembly, vol. i. Breviat, p. 53. Reg. Penns. vol. i. p. 274.

² Proud, p. 157.

³ Votes of Assembly. Reg. Penns. vol. i. pp. 269, 270.

Ephraim Herman appointed to receive quit-rents due in Delaware River and dependencies, as well as "in that part of the river *now called Pennsylvania*," till he receives further orders."¹ 1681.

Ephraim Herman "complains that people refuse to pass his bills for surveyor's fees established by the government, and more he admires that, as he hears, clerks are to be paid in tobacco, at 12s. 6d. per 100; the law expressly says that all fees shall be paid in silver, beaver, wampum, or wheat, one of which I may insist on, but because the country does not plentifully afford the same, I am willing to take the produce of the country, which is pork, at a reasonable rate, and should be ready to take tobacco, if it was like to be worth any thing. If I am denied what the law allows, I shall desist for a while, and make the case known to the governor or his deputy. I pray, sirs, you will right me where I am wronged, it being your places to do so."²

"Christian, the Indian, alias Petrocaquewan, lord and owner of all the land between St. Jones and Duck Creek," conveyed "to John Brinkloe, planter, his heirs and assigns, 600 acres woodland, together with the marshes and creek bounding with the creek known by name of Lisburn, on north side of Jones's Creek;" consideration, 3 matchcoats, and 12 bottles drink, 4 double-handful of powder, and 4 of shot. This land was still in possession of the Brinkloe family in 1838.³

At a meeting of the committee, a draft of a patent for Mr. Penn is read, and there being a blank left for the name, their lordships agree to leave the nomination of it to the king.

The Lord Bishop of London is desired to prepare the draft of a law to be passed in this country, for the settling of the Protestant religion.

The committee of lords report favourably to his majesty, and say, "In obedience to your majesty's order, signified by the Earl of Sunderland, on the 1st of June last, we had prepared the draft of a charter, constituting William Penn, Esq., absolute proprietary of a tract of land in America therein mentioned, which we humbly present to your majesty, for your royal approbation, leaving also the naming of the

¹ New Castle Records.

² Kent Records, in Breviat.

³ Delaware Register, vol. i. p. 177.

1681. said province to your majesty, which is most humbly submitted.¹

March 14. After this long and vexatious attendance upon the committee of lords of trade and plantations, chief justice, attorney-general, and agents of Lord Baltimore, his majesty is this day pleased to sign the charter, constituting William Penn proprietor of Pennsylvania.

Charter for Penn signed.

The charter is in the following words: (March 4.)

Charter of Pennsylvania.

“Charles, by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, &c., to all to whom these presents shall come, greeting:

“Whereas our trusty and well-beloved subject, William Penn, esquire, son and heir of Sir William Penn, deceased, (out of a commendable desire to enlarge our British empire, and promote such useful commodities as may be of benefit to us and our dominions, as also to reduce the savage natives, by just and gentle manners, to the love of civil society and Christian religion,) hath humbly besought leave of us to transport an ample colony unto a certain country hereinafter described, in the parts of America not yet cultivated and planted, and hath likewise so humbly besought our royal majesty to give, grant, and confirm all the said country, with certain privileges and jurisdictions, requisite for the good government and safety of the said country and colony, to him and his heirs for ever.

Boundaries.

“I. Know ye, therefore, that we, (favouring the petition and good purpose of the said William Penn, and having regard to the memory and merits of his late father, in divers services, and particularly to his conduct, courage, and discretion, under our dearest brother James, duke of York, in that signal battle and victory fought and obtained against the Dutch fleet commanded by the Heer Van Opdam, in the year 1665: in consideration thereof, of our special grace, certain knowledge, and mere motion,) have given and granted, and by this our present charter, for us, our heirs and successors, do give and grant unto the said William Penn, his heirs and assigns, all that tract or part of land in America, with the islands therein contained, as the same is bounded on the east by Delaware River, from twelve miles distance northward of New Castle town, unto the three and fortieth degree of northern latitude, if the said river doth extend so far northward,

¹ Votes of Assembly.

but if the said river shall not extend so far northward, then by the said river so far as it doth extend; and from the head of the said river, the eastern bounds are to be determined by a meridian line, to be drawn from the head of the said river, unto the said forty-third degree. The said land to extend westward five degrees in longitude, to be computed from the said eastern bounds, and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the south by a circle drawn at twelve miles distance from New Castle, northward and westward, unto the beginning of the fortieth degree of northern latitude, and then by a straight line westward to the limits of longitude above mentioned.

1681.

Charter of
Pennsylvania, con-
tinued.

Bounds.

“II. We do also give and grant unto the said William Penn, his heirs and assigns, the free and undisturbed use, and continuance in, and passage unto and out of all and singular ports, harbours, bays, waters, rivers, isles, and inlets, belonging unto, or leading to and from the country or islands aforesaid, and all the soils, lands, fields, woods, underwoods, mountains, hills, fenns, isles, lakes, rivers, waters, rivulets, bays, and inlets, situated, or being within, or belonging to the limits or bounds aforesaid, together with the fishing of all sorts of fish, whales, sturgeon, and all royal and other fishes, in the seas, bays, inlets, waters, or rivers within the premises, and all the fish taken therein; and also all veins, mines, minerals and quarries, as well discovered as not discovered, of gold, silver, gems, and precious stones, and all other whatsoever, be it stones, metals, or any other thing or matter whatsoever, found, or to be found, within the country, isles, or limits aforesaid.

Privileges.

“III. And him, the said William Penn, his heirs and assigns, we do by this, our royal charter, for us, our heirs and successors, make, create, and constitute the true and absolute proprietary of the country aforesaid, and all other the premises; saving always to us, our heirs and successors, the faith and allegiance of the said William Penn, his heirs and assigns, and of all other proprietaries, tenants, and inhabitants, that are, or shall be, within the territories and precincts aforesaid; and saving also unto us, our heirs and successors, the sovereignty of the aforesaid country, to have, hold, possess, and enjoy the said tract of land, country, isles, inlets, and other the premises, unto the said William Penn, his heirs and

Wm. Penn
made propri-
etary.

1681.

Charter of
Pennsylvania,
con-
tinued.

assigns, for ever, to be holden of us, our heirs and successors, kings of England, as of our castle of Windsor, in the county of Berks, in free and common socage, by fealty only, for all services, and not *in capite*, or by knight-service, yielding and paying therefore to us, our heirs and successors, two beaver skins, to be delivered at our castle of Windsor, on the first day of January in every year; and also the fifth part of all gold and silver ore which shall, from time to time, happen to be found within the limits aforesaid, clear of all charges. And of our further grace, certain knowledge, mere motion, we have thought fit to erect, and we do hereby erect the aforesaid country and islands into a province and seignior, and do call it Pensilvania, and so from henceforth will have it called.

Power to
govern and
make laws.

“IV. And forasmuch as we have hereby made and ordained the aforesaid William Penn, his heirs and assigns, the true and absolute proprietaries of all the lands and dominions aforesaid, know ye, therefore, that we, (reposing special trust and confidence in the fidelity, wisdom, justice, and provident circumspection of the said William Penn,) for us, our heirs and successors, do grant free, full, and absolute power, by virtue of these presents, to him and his heirs, to his and their deputies and lieutenants, for the good and happy government of the said country, to ordain, make, and enact, and under his and their seals, to publish any laws whatsoever, for the raising of money for public uses of the said province, or for any other end, appertaining either unto the public state, peace, or safety of the said country, or unto the private utility of particular persons, according unto their best discretion, by and with the advice, assent, and approbation of the freemen of the said country, or the greater part of them, or of their delegates or deputies, whom, for the enacting of the said laws, when and as often as need may require, we will that the said William Penn, and his heirs, shall assemble, in such sort and form as to him and them shall seem best, and the same laws duly to execute unto and upon all people within the said country and limits thereof.

May appoint
officers.

“V. And we do likewise give and grant unto the said William Penn, and to his heirs, and their deputies and lieutenants, full power and authority to appoint and establish any judges and justices, magistrates, and other officers whatsoever, (for the probates of wills, and for the granting of administra-

tion within the precincts aforesaid,) and with what power soever, and in such form, as to the said William Penn, or his heirs, shall seem most convenient; also to remit, release, pardon, and abolish (whether before judgment or after) all crime and offences whatsoever, committed within the said country, against the laws, (treason, and wilful and malicious murder only excepted, and in those cases to grant reprieves, until our pleasure may be known therein,) and to do all and every other thing and things which unto the complete establishment of justice, unto courts and tribunals, forms of judicature, and manner of proceedings do belong, although, in these presents, express mention be not made thereof; and by judges, by them delegated, to award process, hold pleas, and determine, in all the said courts and tribunals, all actions, suits, and causes whatsoever, as well criminal as civil, personal, real, and mixed; which laws, so as aforesaid to be published, our pleasure is, and so we enjoin, require, and command, shall be most absolute and available in law, and that all the liege people and subjects of us, our heirs and successors, do observe and keep the same inviolably in those parts, so far as they concern them, under the pain therein expressed, or to be expressed. Provided nevertheless, that the same laws be consonant to reason, and not repugnant or contrary, but (as near as conveniently may be) agreeable to the laws and statutes, and rights of this our kingdom of England; and saving and reserving to us, our heirs and successors, the receiving, hearing, and determining of the appeal and appeals of all or any person or persons, of, in or belonging to the territories aforesaid, or touching any judgment to be there made or given.

“VI. And forasmuch as, in the government of so great a country, sudden accidents do often happen, whereunto it will be necessary to apply remedy, before the freeholders of the said province, or their delegates or deputies can be assembled to the making of laws; neither will it be convenient that instantly, upon every such occasion, so great a multitude should be called together, therefore, (for the better government of the said country,) we will ordain, and by these presents, for us, our heirs and successors, do grant unto the said William Penn, and his heirs, by themselves, or by their magistrates and officers, in that behalf duly to be ordained as aforesaid, to make and constitute fit and wholesome ordinances, from time to time, within the said country to be kept and observed,

1681.

Charter of
Pennsylvania,
con-
tinued.

Grant par-
dons.

Proviso:
laws to be
consonant
with those
of England.
Right of
appeal re-
served.

Laws of Eng-
land in force
till others
are made in
the province.

1681.

Charter of
Pennsylvania,
con-
tinued.

as well for the preservation of peace, as for the better government of the people there inhabiting, and publicly to notify the same to all persons whom the same doth, or may anyway concern. Which ordinances our will and pleasure is shall be observed inviolably within the said province, under the pains therein to be expressed, so as the said ordinances be consonant to reason, and be not repugnant nor contrary, but (so far as conveniently may be) agreeable with the laws of our kingdom of England, and so as the said ordinances be not extended, in any sort, to bind, change, or take away the right or interest of any person or persons, for, or in their life, members, freehold, goods, or chattels. And our further will and pleasure is, that the laws for regulating and governing of property within the said province, as well for the descent and enjoyment of lands, as likewise for the enjoyment and succession of goods and chattels, and likewise as to felonies, shall be and continue the same as they shall be, for the time being, by the general course of the law in our kingdom of England, until the said laws shall be altered by the said William Penn, his heirs or assigns, and by the freemen of the said province, their delegates or deputies, or the greater part of them.

Laws to be
transmitted
to England
for approval
in five years.

“VII. And to the end that the said William Penn, or his heirs, or other the planters, owners, or inhabitants of the said province may not, at any time hereafter (by misconstruction of the power aforesaid) through inadvertency or design, depart from that faith and due allegiance which, by the laws of this our realm of England, they and all our subjects in our dominions and territories always owe to us, our heirs and successors, by colour of any extent, or largeness of powers hereby given, or pretended to be given, or by force or colour or any laws hereafter to be made in the said province, by virtue of any such powers. Our farther will and pleasure is, that a transcript or duplicate of all laws which shall be so as aforesaid made and published within the said province, shall, within five years after the making thereof, be transmitted and delivered to the privy council for the time being, of us, our heirs and successors; and if any of the said laws, within the space of six months after that they shall be so transmitted and delivered, be declared by us, our heirs and successors, in our or their privy council, inconsistent with the sovereignty or lawful prerogative of us, our heirs or successors, or con-

trary to the faith and allegiance due to the legal government of this realm, from the said William Penn, or his heirs, or of the planters and inhabitants of the said province, and that thereupon any of the said laws shall be adjudged and declared to be void, by us, our heirs and successors, under our or their privy seal, that then and from thenceforth, such laws, concerning which such judgment and declaration shall be made, shall become void, otherwise the said laws, so transmitted, shall remain and stand in full force, according to the true intent and meaning thereof.

1681.

Charter of
Pennsylvania,
con-
tinued.

“VIII. Furthermore, that this new colony may the more happily increase by the multitude of people resorting thither, therefore we, for us, our heirs and successors, do give and grant, by these presents, power, license, and liberty unto all the liege people and subjects, both present and future, of us, our heirs and successors, (excepting those who shall be especially forbidden,) to transport themselves and families unto the said country, with such convenient shipping as by the laws of this our kingdom of England they ought to use, and with fitting provision, paying only the customs therefore due, and there to settle themselves, dwell and inhabit, and plant, for the public and their own private advantage.

Encourage-
ment of emi-
gration.

“IX. And furthermore, that our subjects may be the rather encouraged to undertake this expedition with ready and cheerful minds, know ye, that we, of our special grace, certain knowledge, and mere motion, do give and grant, by virtue of these presents, as well unto the said William Penn, and his heirs, as to all others who shall from time to time repair unto the said country, full license to lade and freight, in any ports whatsoever of us, our heirs and successors, according to the laws made, or to be made, within our kingdom of England, and unto the said country, by them, their servants or assigns, to transport all and singular their goods, wares, and merchandises, as likewise all sorts of grain whatsoever, and all other things whatsoever, necessary for food or clothing, not prohibited by the laws and statutes of our kingdom and dominions, to be carried out of the said kingdom, without any let or molestation of us, our heirs or successors, or of any of the officers of us, our heirs or successors; saving always to us, our heirs and successors, the legal impositions, customs, or other duties and payments for the said wares and merchan-

Also, to
trade.

1681. dises, by any law or statute, due, or to be due, to us, our heirs and successors.

Charter of
Pennsylvania, con-
tinued.

May lay out
towns,
cities, &c.

“X. And we do further, for us, our heirs and successors, give and grant unto the said William Penn, his heirs and assigns, free and absolute power to divide the said country and islands into towns, hundreds, and counties, and to erect and incorporate towns into boroughs, and boroughs into cities, and to make and constitute fairs and markets therein, with all other convenient privileges and immunities, according to the merits of the inhabitants, and the fitness of the places, and to do all and every other thing and things touching the premises, which to him or them shall seem meet and requisite, albeit they be such as of their own nature might otherwise require a more special commandment and warrant than, in these presents, is expressed.

Commercial
advantages.

“XI. We will also, and by these presents, for us, our heirs and successors, we do give and grant license, by this our charter, unto the said William Penn, his heirs and assigns, and to all the inhabitants and dwellers in the province aforesaid, both present and to come, to import or unlade, by themselves or their servants, factors, or assigns, all merchandises and goods whatsoever, that shall arise of the fruits and commodities of the said province, either by land or sea, into any of the ports of us, our heirs or successors, in our kingdom of England, and not into any other country whatsoever, and we give him full power to dispose of the said goods, in the said ports, and if need be, within one year next after the unloading of the same, to lade the said merchandise and goods again into the same, or other ships, and to transport the same into any other countries, either of our own dominions or foreign, according to law; provided always, that they pay such customs and impositions, subsidies and duties for the same, to us, our heirs and successors, as the rest of our subjects of our kingdom of England, for the time being, shall be bound to pay, and do observe the acts of navigation, and other laws in that behalf made.

Seaports,
creeks, and
harbours.

“XII. And furthermore, of our ample and special grace, certain knowledge, and mere motion, we do, for us, our heirs and successors, grant unto the said William Penn, his heirs and assigns, full and absolute power and authority to make, erect, and constitute, within the said province, and the isles and inlets aforesaid, such and so many seaports, harbours,

creeks, havens, keys, and other places for discharging and unloading of goods and merchandise out of the ships, boats, and other vessels, and landing them unto such and so many places, and with such rights, jurisdictions, liberties, and privileges unto the said ports belonging, as to him and them shall seem most expedient; and that all and singular the ships, boats, and other vessels, which shall come for merchandise and trade into the said province, or out of the same, shall be laden or unladen only at such ports as shall be created and constituted by the said William Penn, his heirs or assigns, (any use, custom or thing to the contrary notwithstanding.) Provided, that the said William Penn, and his heirs, and the lieutenants and governors for the time being, shall admit and receive in and about all such havens, ports, creeks, and keys, all officers and their deputies, who shall, from time to time, be appointed for that purpose by the farmers, or commissioners of our customs for the time being.

1681.

Charter of
Pennsylvania, con-
tinued.

“XIII. And we do further appoint and ordain, and by these presents, for us, our heirs and successors, we do grant unto the said William Penn, his heirs and assigns, that he, the said William Penn, his heirs and assigns, may, from time to time, for ever, have and enjoy the customs and subsidies, in the ports, harbours, and other creeks and places aforesaid, within the province aforesaid, payable or due for merchandise and wares there to be laded and unladed, the said customs and subsidies to be reasonably assessed, upon any occasion, by themselves and the people there, as aforesaid to be assembled, to whom we give power by these presents, for us, our heirs and successors, upon just cause and due proportion, to assess and impose the same; saving unto us, our heirs and successors, such impositions and customs as, by act of parliament, are and shall be appointed.

Customs, &c.
may be im-
posed by the
province.

“XIV. And it is our farther will and pleasure, that the said William Penn, his heirs and assigns, shall, from time to time, constitute and appoint an attorney or agent, to reside in or near our city of London, who shall make known the place where he shall dwell, or may be found, unto the clerks of our privy-council, for the time being, or one of them, and shall be ready to appear in any of our courts at Westminster, to answer for any misdemeanor that shall be committed, or by any wilful default or neglect permitted by the said William Penn, his heirs or assigns, against the laws of trade and

Agent to re-
side in Lon-
don.

1681.

Charter of
Pennsylvania,
con-
tinued.

The govern-
ment may be
resumed by
England.

Not to corre-
spond with
kings, &c.
at war with
England.

May pursue
and punish
enemies.

navigation; and after it shall be ascertained, in any of our courts, what damages we, or our heirs or successors, shall have sustained by such default or neglect, the said William Penn, his heirs or assigns, shall pay the same within one year after such taxation, and demand thereof from such attorney, or in case there shall be no such attorney by the space of one year, or such attorney shall not make payment of such damages within the space of a year, and answer such other forfeitures and penalties within the said time, as by acts of parliament in England are and shall be provided, according to the true intent and meaning of these presents, then it shall be lawful for us, our heirs and successors, to seize and resume the government of the said province or country, and the same to retain, until payment shall be made thereof; but notwithstanding any such seizure, or resumption of the government, nothing concerning the propriety or ownership of any lands, tenements, or other hereditaments, goods or chattels of any of the adventurers, planters, or owners, other than the respective offenders there, shall anyways be affected or molested thereby.

“XV. Provided always, and our will and pleasure is, that neither the said William Penn, nor his heirs, nor any other the inhabitants of the said province, shall at any time hereafter have or maintain any correspondence with any other king, prince or state, or with any of their subjects, who shall then be in war against us, our heirs and successors; nor shall the said William Penn, or his heirs, or any other inhabitants of the said province, make war, or any act of hostility against any other king, prince, or state, or any of their subjects, who shall then be in league or amity with us, our heirs and successors.

“XVI. And because, in so remote a country, and situate near many barbarous nations, the incursions as well of the savages themselves, as of other enemies, pirates, and robbers, may probably be feared, therefore we have given, and for us, our heirs and successors, do give power, by these presents, to the said William Penn, his heirs and assigns, by themselves, or their captains, or other their officers, to levy, muster, and train all sorts of men, of what condition soever, or wheresoever born, in the said province of Pensilvania, for the time being, and to make war, and to pursue the enemies and robbers aforesaid, as well by sea as by land, even without the

limits of the said province, and by God's assistance, to vanquish and take them, and being taken, to put them to death, by the laws of war, or to save them, at their pleasure, and to do all and every other thing which unto the charge and office of a captain-general of an army belongeth, or hath accustomed to belong, as fully and freely as any captain-general of an army hath ever had the same.

1681.

Charter of
Pennsylvania,
con-
tinued.

“XVII. And furthermore, of our special grace, and of our certain knowledge, and mere motion, we have given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the said William Penn, his heirs and assigns, full and absolute power, license, and authority, that he, the said William Penn, his heirs and assigns, from time to time hereafter, for ever, at his or their own will and pleasure, may assign, alien, grant, demise, or enfeof of the premises, so many, and such parts and parcels to him or them that shall be willing to purchase the same, as they shall think fit, to have and to hold to them, the said person or persons willing to take and purchase, their heirs and assigns, in fee-simple, or fee-tail, or for the term of life, lives, or years, to be held of the said William Penn, his heirs or assigns, as of the said seigniory of Windsor, by such services, customs, or rents, as shall seem meet to the said William Penn, his heirs or assigns, and not immediately of us, our heirs or successors.

May dispose
of lands.

“XVIII. And to the same person or persons, and to all and every of them, we do give and grant, by these presents, for us, our heirs and successors, license, authority and power that such person or persons may take the premises, or any parcel thereof, of the aforesaid William Penn, his heirs or assigns, and the same to hold to themselves, their heirs and assigns, in what estate of inheritance soever, in fee-simple, or in fee-tail, or otherwise, as to him, the said William Penn, his heirs or assigns, shall deem expedient; the statute made in the parliament of Edward, the son of king Henry, late king of England, our predecessor, (commonly called the statute ‘*Quia Emptores Terrarum*,’ lately published in our kingdom of England,) in anywise notwithstanding.

“XIX. And by these presents, we give and grant license unto the said William Penn, and his heirs, and likewise to all and every such person or persons to whom the said William Penn, or his heirs, shall at any time hereafter grant any estate or inheritance, as aforesaid, to erect any parcels of land

May erect
manors.

1681. within the province aforesaid, into manors, by and with the license to be first had and obtained for that purpose, under the hand and seal of the said William Penn, or his heirs, and in every of the said manors, to have and to hold a court-baron, with all things whatsoever which to a court-baron do belong, and to have and to hold view of frank-pledge, for the conservation of the peace, and the better government of those parts, by themselves, or their stewards, or by the lords, for the time being, of the manors to be deputed, when they shall be erected, and in the same to use all things belonging to the view of frank-pledge. And we do further grant license and authority, that every such person or persons who shall erect any such manor or manors, as aforesaid, shall or may grant all or any part of his said land to any person or persons, in fee-simple, or any other estate of inheritance, to be held of the said manors respectively, so as no further tenure shall be created, but that upon all further or other alienations thereafter to be made, the said lands so aliened shall be held of the same lord and his heirs, of whom the aliener did then before hold, and by the like rents and services which were before due and accustomed.

Charter of
Pennsylvania, con-
tinued.

Frank-
pledge.

King
not to lay
taxes with-
out consent
of proprietary
or parliament.

“XX. And furthermore, our pleasure is, and by these presents, for us, our heirs and successors, we do covenant and grant to and with the said William Penn, his heirs and assigns, that we, our heirs and successors, shall, at no time hereafter, set or make, or cause to be set or made, any imposition, custom, or other taxation, rate, or contribution whatsoever, in and upon the dwellers and inhabitants of the aforesaid province, for their lands, tenements, goods, or chattels, within the said province, or in and upon any goods and merchandises within the province, or to be laden or unladen within the ports or harbours of the said province, unless the same be with the consent of the proprietary or chief governor, or assembly, or by act of parliament in England.

“XXI. And our pleasure is, and for us, our heirs and successors, we charge and command, that this, our declaration, shall from henceforth, from time to time, be received and allowed in all our courts, and before all the judges of us, our heirs and successors, for a sufficient lawful discharge, payment and acquittance, commanding all the officers and ministers of us, our heirs and successors, and enjoining them, upon pain of our highest displeasure, that they do not presume at

any time to attempt any thing to the contrary of the premises, or that do, in any sort, withstand the same, but that they be, at all times, aiding and assisting, as is fitting, to the said William Penn, and his heirs, and unto the inhabitants and merchants of the province aforesaid, their servants, ministers, factors, and assigns, in the full use and fruition of the benefit of this our charter.

1681.

Charter of Pennsylvania, continued.

“XXII. And our farther pleasure is, and we do hereby, for us, our heirs and successors, charge and require, that if any of the inhabitants of the said province, to the number of twenty, shall, at any time hereafter, be desirous, and shall, by any writing, or by any person deputed by them, signify such their desire to the Bishop of London, for the time being, that any preacher or preachers, to be approved of by the said bishop, may be sent unto them for their instruction, that then such preacher or preachers shall and may reside within the said province, without any denial or molestation whatsoever.

Control of the Bishop of London.

“XXIII. And if perchance hereafter any doubt or question should arise concerning the true sense and meaning of any word, clause, or sentence, contained in this our present charter, we will, ordain, and command, that at all times, and in all things, such interpretation be made thereof and allowed, in any of our courts whatsoever, as shall be adjudged most advantageous and favourable unto the said William Penn, his heirs and assigns: provided always, no interpretation be admitted thereof, by which the allegiance due unto us, our heirs and successors, may suffer any prejudice or diminution; although express mention be not made, in these presents, of the true yearly value, or certainty of the premises, or any part thereof, or of other gifts and grants made by us, and our progenitors or predecessors, unto the said William Penn, any statute, act, ordinance, provision, proclamation, or restraint heretofore had, made, published, ordained, or provided, or any thing, cause, or matter whatsoever, to the contrary thereof in anywise notwithstanding. In witness whereof, we have caused these our letters to be made patent: witness ourself, at Westminster, the 4th day of March, in the three and thirtieth year of our reign, Annoque Domini one thousand six hundred and eighty-one.

Interpretation.

“By writ of privy-seal,

PIGOTT.”¹

“This venerable document, which is in the office of the

¹ Votes of Assembly, vol. i. p. xxiv. Reg. Penns. vol. i. pp. 293—297.

1681. Secretary of the Commonwealth, is written on strong parchment, in the old English handwriting, with each line under-scored with lines of red ink, that give it a curious appearance. The borders are gorgeously furbelowed with heraldic devices, and the top of the first page exhibits a finely executed likeness of his majesty, in good preservation."¹ It is now framed and hung up.

March 15. The feelings of Penn, upon this occasion, are thus expressed in a letter to his friend, Robert Turner, dated the next day, when he probably came into possession of the charter. This letter also contains a history of the name given to the province.

"To Robert Turner.

5th of 1st mo. 1681.

Letter to
R. Turner.

Name how
and by
whom given.

"Dear friend—My true love in the Lord salutes thee, and dear friends that love the Lord's precious truth in those parts. Thine I have, and for my business here, know that after many waitings, watchings, solicitings, and disputes in council, this day my country was confirmed to me under the great seal of England, with large powers and privileges, by the name of Pennsylvania, a name the king would give it, in honour of my father. I chose New Wales, being, as this, a pretty hilly country, but Penn being Welsh for *a head*, as Penmanmoire, in Wales, and Penrith, in Cumberland, and Penn, in Buckinghamshire, the highest land in England, called this Pennsylvania, which is, *the high or head woodlands*; for I proposed, when the secretary, a Welshman, refused to have it called New Wales, *Sylvania*, and they added *Penn* to it, and though I much opposed it, and went to the king to have it struck out and altered, he said it was past, and would take it upon him; nor could twenty guineas move the under-secretaries to vary the name, for I feared lest it should be looked on as a vanity in me, and not as a respect in the king, as it truly was, to my father, whom he often mentions with praise. Thou mayest communicate my grant to friends, and expect shortly my proposals. It is a clear and just thing, and my God, that has given it me through many difficulties, will, I believe, bless and make it the seed of a nation. I shall have a tender care to the government, that it will be well laid at first. No more now, but dear love in the truth.

"Thy true friend, WILLIAM PENN."²

¹ Dunlop, in *Memoirs of Penn. Hist. Soc.* vol. i. p. 164.

² *Reg. Penns.* vol. i. p. 297. *Memoirs of Penn. Hist. Soc.*

The Upland court met in the town of Kinsesse, Upland 1681.
county.

Magister Jacobus Fabricius complains, that in the survey of his land granted by the court, there are 65 acres of swamp, and therefore desires 65 acres more, which were granted, of vacant land, but no abatement of quit-rent, unless the governor should cause it.

March 8.

J. Fabricius applies for new land.

A grant of 25 acres each, of marsh or meadow land, to E. Herman, Laers Cock, and Peter Van Vanbrug, in addition to their lands at Taomacken, the marsh lying in the mill creek opposite Burlington.¹

Several grants opposite Burlington.

The oldest deed on record in Bucks county, is one of this date, from William Penn to Thomas Woolrich, of Shalford county, of Stafford, England. It recites the grant of William Penn from Charles II., of 4th March. The deed is for 1000 acres; consideration, £20, and 1s. per 100 acres, quit-rent.² (March 22, 1681.)

April 1.

The next is July 27, 1681, to James Hill, of Beckington, county of Somerset, shoemaker, for 500 acres, in consideration of £10, and 1s. quit-rent.

Brockholls writes to the justices of Whorekill, in answer

April 9.

to one from them, complaining of the conduct of the clerk of the court, (Cornelius Verhoof,) and of their having removed him. He says, "they had done well had they sent the case to New York before he was suspended, it being a matter rather becoming the powers of some higher judicature, and not so fitting for yourselves, who were the accusers, to judge of; however, I am inclinable to believe you did not do it without full examination into the truth, and in hopes of amendment for the future, am willing to pass it by, to which you have made a good step in the choice of William Clark, a person I judge capable enough, and could well approve of for a continuance, were he not one of your bench, which is not practicable in any part of this government; however, he may officiate till further order." He afterwards refuses to deliver up the records; the magistrates' court and sheriff are authorized to demand them; if not found, bind the clerk over to the court of assizes.³

Removal of clerk of court by justices disapproved of by governor.

Appointment of Wm. Clark approved of, though one of the bench.

After the charter had been signed nearly a month, a public declaration of the fact is made by the king, addressed to the

April 12.

¹ Upland Records.

² Bucks County Records, per W. Carr.

³ Albany Records, in Breviat, p. 33.

1681. inhabitants and planters of Pennsylvania, intended probably to accompany Markham. It is as follows:

King's declaration of grant to Penn.

"Charles R.—Whereas his majesty, in consideration of the great merit and faithful services of Sir William Penn, deceased, and for divers other good causes him thereunto moving, hath been graciously pleased, by letters-patent bearing date the 4th day of March last past, to give and grant unto William Penn, Esq., son and heir of the said Sir William Penn, all that tract, &c. (as described in the charter.)

"His majesty doth, therefore, hereby publish and declare his royal will and pleasure, that all persons settled or inhabiting within the limits of the said province, do yield all due obedience to the said William Penn, his heirs and assigns, as absolute proprietaries and governors thereof, as also to the deputies, agents, or lieutenants, lawfully commissioned by him or them, according to the powers and authorities granted by the said letters-patent, wherewith his majesty expects and requires a ready compliance from all persons whom it may concern, as they tender his majesty's displeasure.

"Given at the court, &c., 2d April, 1681, thirty-third year of reign. By his majesty's command. CONWAY."¹

April 18.

Penn prepared, with his own hand, a letter, to be sent by his deputy governor, "for the inhabitants of Pennsylvania, to be read by my deputy." The letter is sealed with three seals, bearing the arms of the Penn family, impressed on red wax. The original is, or was in possession of the Chew family.

Letter of Penn to the inhabitants of Pennsylvania.

"My friends—I wish you all happiness, here and hereafter. These are to let you know that it hath pleased God, in his providence, to cast you within my lot and care. It is a business that, though I never undertook before, yet God has given me an understanding of my duty, and an honest mind to do it uprightly. I hope you will not be troubled at your change, and the king's choice, for you are now fixed at the mercy of no governor that comes to make his fortune great; you shall be governed by laws of your own making, and live a free, and, if you will, a sober and industrious people. I shall not usurp the right of any, or oppress his person. God has furnished me with a better resolution, and has given me his grace to keep it. In short, whatever sober and free men can reasonably desire for the security and improvement of their

¹ Votes of Assembly, vol. i. p. xxiv. Reg. Penns. vol. i. p. 304.

own happiness, I shall heartily comply with, and in five months resolve, if it please God, to see you. In the mean time, pray submit to the commands of my deputy, so far as they are consistent with the law, and pay him those dues, (that formerly you paid to the order of the governor of New York,) for my use and benefit, and so I beseech God to direct you in the way of righteousness, and therein prosper you and your children after you. I am your true friend,

1681.

“WILLIAM PENN.

“London, 8th of the month called April, 1681.”¹

On the same day, it appears by Markham's commission, that Penn issued some instructions to him, of the nature of which, having never seen them, we have no knowledge, but from the connection in which they stand in the commission, it is to be inferred that they related to the settlement of boundaries with his neighbours, and the disposition of lands.

Instructions
to Markham.

At New Castle court, Mr. John Levin appears, and produced his commission; understanding it had been publicly read in court, “demanded whether anybody questioned it;” none appearing, it was recorded.²

April 18.

Mr. Levin
appears with
his commis-
sion.

In a few days after the king's declaration, William Penn commissioned his relative, William Markham, to be deputy governor, giving him such instructions as the short time since his obtaining the charter would allow. They are as follows:

April 20.

“The commission given by William Penn, governor and proprietor of the province of Pennsylvania, to his cousin, William Markham, to be deputy governor for him, of the aforesaid province. At Westminster, this 10th of 2d mo. 1681.

Wm. Penn's
commission
to William
Markham,
as deputy
governor.

“Whereas the king hath graciously pleased, upon divers good considerations, to settle upon me and my heirs for ever, by his letters-patent, under the great seal of England, dated the 4th of March last, a tract of land in America, by the name of Pennsylvania, lying and bounded as in the said letters-patent is particularly expressed, with ample powers and authorities requisite for the well-governing of the same, to be exercised by me or my deputy. Out of the special regard that I have to the care and fidelity of my cousin, William Markham, I do hereby appoint him my deputy, and fully authorize him in my stead and for my behoof, and for the benefit of the said province, to act and perform what may

¹ Reg. Penns. vol. i. p. 377, and Memoirs Penn. Hist. Soc. vol. iii. p. 205.

² New Castle Records.

1681. be fully needful to the peace and safety thereof, till I myself shall arrive, or he shall receive further orders; that is to say, he has hereby power,

To call a council.

“1st. To call a council, and that to consist of nine, he presiding.

Read letter to inhabitants, and king's declaration.

“2d. That he does there read my letter to the inhabitants, and the king's declaration of subjection; then (or there) take the inhabitants' acknowledgments of my authority and propriety.

Settle boundaries with neighbours.

“3d. To settle bounds between me and my neighbours; to survey, set out, rent, or sell lands, according to (my) instructions bearing date the 8th of the month called April, 1681.

Erect courts. Appoint officers.

“4th. To erect courts, make sheriffs, justices of the peace, and other requisite inferior officers, that right may be done, the peace kept, and all vice punished, without partiality, according to the good laws of England.

Call on inhabitants to suppress tumult, and generally to do all but calling an assembly to make laws.

“5th. To call to his aid, and command the assistance of any of the inhabitants of those provinces, for the legal suppression of tumults or riots, and conviction of the offenders, according to law, and to make or ordain any ordinances, and to do any thing or things that to the peace and safety of the said province he may lawfully do, by the power granted to me in the letters-patent, calling assemblies to make laws only excepted. Given under my hand and seal, this 10th of the month called April, 1681. WILLIAM PENN. [Seal.]

“Witnesses—Henry West, John West.”

It will be observed, that on the face of this commission nothing appears in relation to the Indians. Whether the instructions referred to in it contained any thing on the subject, or whether it was reserved for a future occasion, we have no means of knowing; but the latter probably was the case, as he had so recently obtained his title, his first object would be to receive possession, and the submission of the inhabitants.

The foregoing document, so far as the author knows, now for the first time appears in print, and he has met with no one here who says he has before seen it. We unexpectedly found it among the records in the secretary of state's office, at Boston, in a volume marked “Colonial,” vol. ii. p. 473. How it came there is unknown; it presents an additional reason why our state should early take some steps to collect and preserve the scattered fragments of our early history.

April 20.

William Penn recommends Captain William Markham, as

his kinsman and deputy, to Lord Baltimore, to treat about the boundary line between Maryland and Pennsylvania, with whom it appears he afterwards had an interview on the subject. A copy of both exists in England.¹ 1681.

Markham was also the bearer of a letter from the king to Lord Baltimore, apprising him of the grant of Pennsylvania to Penn, and requiring both parties to adjust boundaries. Lord Baltimore being in the province, had an interview with Markham, at Chester, "which resulted in discovering, from actual observation, that Upland itself was at least twelve miles south of 40 degrees, and that boundaries would extend to Schuylkill. This discovery ended the conference, and gave fresh incentives to Penn to obtain from the Duke of York a grant of the Delaware settlements, as with such grant he had now reason to fear the loss of the whole peninsula."²

April.
Letter from
the king to
Lord Balti-
more.

Having secured the title to the province, Penn very soon issued his proposals and account of Pennsylvania, from the best information he then possessed, "together with the privileges and powers necessary to the well governing thereof, made public for the information of such as are, or may be disposed to transport themselves or servants into these parts." The description of the country occupies but a small portion of this document. It is introduced by a preface of some length, being an argument in favour of colonies, showing their origin and advantages, as follows:

Penn's first
proposals to
adventurers.

"Since (by the good providence of God) a country in America is fallen to my lot, I thought it not less my duty than my honest interest, to give some public notice of it to the world, that those of our own, or other nations, that are inclined to transport themselves or families beyond the seas, may find another country added to their choice, that if they shall happen to like the place, conditions, and constitutions, (so far as the present infancy of things will allow us any prospect,) they may, if they please, fix with me in the province hereafter described. But before I come to treat of my particular concernment, I shall take leave to say something of the benefit of plantations or colonies in general, to obviate a common objection.

Argument in
favour of co-
lonies.

"Colonies, then, are the seeds of nations begun and new-

¹ MS. Catalogue of Documents in England, in possession of John Cadwalader, Esq., to whom we are indebted for a sight of it.

² Chalmers, p. 657. McMahon's Maryland.

1681. rished by the care of wise and populous countries, as conceiving them best for the increase of human stock, and beneficial for commerce.

Argument in
favour of co-
lonies, con-
tinued.

“Some of the wisest men in history have justly taken their fame from this design and service. We read of the reputation given on this account to Moses, Joshua, and Caleb, in Scripture records; and what renown the Greek story yields to Lycurgus, Theseus, and those Greeks that planted many parts of Asia; nor is the Roman account wanting of instances to the credit of that people; they had a Romulus, a Numa Pompilius, and not only reduced, but moralized the manners of the nations they subjected, so that they may have been rather said to conquer their barbarity than them.

“Nor did any of these ever dream it was the way of decreasing their people or wealth, for the cause of the decay of any of those states or empires was not their plantations, but their luxury and corruption of manners; for when they grew to neglect their ancient discipline, that maintained and rewarded virtue and industry, and addicted themselves to pleasure and effeminacy, they debased their spirits and debauched their morals, from whence ruin did never fail to follow to any people. With justice, therefore, I deny the vulgar opinion against plantations, that they weaken England; they have manifestly enriched, and so strengthened her, which I briefly evidence thus:

“1st. Those that go into a foreign plantation, their industry there is worth more than if they stayed at home, the product of their labour being in commodities of a superior nature to those of their country. For instance, what is an improved acre in Jamaica or Barbadoes worth to an improved acre in England? We know it is three times the value, and the product of it comes for England, and is usually paid for in English growth and manufacture. Nay, Virginia shows that an ordinary industry in one man produces three thousand pounds weight of tobacco, and twenty barrels of corn yearly; he feeds himself, and brings as much of commodity into England besides, as being returned in the growth and workmanship of this country, is much more than he could have spent here. Let it also be remembered, that the three thousand weight of tobacco brings in three thousand twopences, by way of custom, to the king, which makes £25, an extraordinary profit.

“2d. More being produced and imported than we can spend here, we export it to other countries in Europe, which brings in money, or the growth of those countries, which is the same thing, and this is the advantage of the English merchants and seamen. 1681.

Argument in
favour of co-
lonies, con-
tinued.

“3d. Such as could not only not marry here, but hardly live and allow themselves clothes, do marry there, and bestow thrice more in all necessities and conveniences, (and not a little in ornamental things too,) for themselves, their wives and children, both as to apparel and household stuff, which coming out of England, I say it is impossible that England should not be a considerable gainer.

“4th. But let it be considered that the plantations employ many hundreds of shipping, and many thousands of seamen, which must be, in divers respects, an advantage to England, being an island, and by nature fitted for navigation above any country in Europe. This is followed by other depending trades, as shipwrights, carpenters, sawyers, hewers, trunnell-makers, joiners, sloop sellers, drysalterers, iron-workers, the Eastland merchants, timber sellers, and victuallers, with many more trades which hang upon navigation; so that we may easily see the objection (that colonies or plantations hurt England) is at least of no strength, especially if we consider how many thousand blacks and Indians are also accommodated with clothes, and many sorts of tools and utensils, from England, and that their labour is mostly brought hither, which adds wealth and people to the English dominions. But it is further said, they injure England, in that they draw away too many of the people, for we are not so populous in the countries as formerly. I say there are other reasons for that,

“1st. Country people are so extremely addicted to put their children into gentlemen's service, or send them to towns to learn trades, that husbandry is neglected, and after a soft and delicate usage there, they are for ever unfitted for the labour of a farming life.

“2d. The pride of the age, in its attendance and retinue, is so gross and universal, that where a man of £1000 a year formerly kept but four or five servants, he now keeps more than twice the number; he must have a gentleman to wait upon him in his chambers, a coachman, a groom or two, a butler, a man-cook, a gardener, two or three laqueys, it may be an huntsman, and a falconer; the wife a gentlewoman,

1681. and maids accordingly : this was not known by our ancestors of like quality. This hinders the plough and the dairy, from whence they are taken, and instead of keeping people to manly labour, they are effeminated by a lazy and luxurious living ; but which is worse, these people rarely marry, though many of them do worse, but if they do, it is when they are in age, and the reason is clear, because their usual keeping at their masters' is too great and costly for them, with a family at their own charge, and they scarcely know how to live lower, so that too many of them choose rather to vend their lusts at an evil ordinary, than honestly marry and work, the excess and sloth of the age not allowing of marriage and the charge that follows ; all which hinders the increase of our people. If men, they often turn either soldiers or gamesters, or highwaymen. If women, they too frequently dress themselves for a bad market, rather than know the dairy again, or honestly return to labour, whereby it happens that both the stock of the nation decays, and the issue is corrupted.

Argument in
favour of co-
lonies, con-
tinued.

“3d. Of old time, the nobility and gentry spent their estates in the country, and that kept the people in it, and their servants married, and sat at easy rents, under their masters' favour, which peopled the place ; now the great men, (too much loving the town, and resorting to London,) draw many people thither to attend them, who either do not marry, or if they do, they pine away their small gains in some petty shop, for there are so many, they prey upon one another.

“4th. The country being thus neglected, and no due balance kept between trade and husbandry, city and country, the poor countryman takes double toil, and cannot (for want of hands) dress and manure his land to the advantage it formerly yielded him, yet must he pay the old rents, which occasions servants, and such children as go not to trades, to continue single, at least all their youthful time, which also obstructs the increase of our people.

“5th. The decay of some country manufactures (where no provision is made to supply the people with a new way of living) causes the more industrious to go abroad to seek their bread in other countries, and gives the lazy an occasion to loiter and beg, or do worse, by which means the land swarms with beggars ; formerly, it was rare to find any asking alms but the maimed or blind, or very aged, now thousands of both sexes run up and down both city and country, that are sound

and youthful, and able to work, with false pretences and certificates; nor is there any care taken to employ or deter such vagrants, which weakens the country, as to people and labour.

1681.

Argument in
favour of co-
lonies, con-
tinued.

“To which let me add, that the great debauchery in this kingdom has not only rendered many unfruitful when married, but they live not out half their time, through excess, which might be prevented, by a vigorous execution of our good laws against corruption of manners. These and the like evils are the true grounds of the decay of our people in the country, to say nothing of plague and wars; towns and cities cannot complain of the decay of people, being more replenished than ever, especially London, which, with reason, helps the countymen to this objection. And though some do go to the plantations, yet, numbering the parishes in England, and computing how many live more than die, and are born than buried, there goes not over to all the plantations a fourth part of the yearly increase of the people, and when they are there, they are not (as I said before) lost to England, since they furnish them with much clothes, household stuff, tools, and the like necessaries, and that in greater quantities than here their condition could have needed, or they could have bought, being there well to pass, that were but low here, if not poor; and now masters of families too, when here they had none, and could hardly keep themselves; and very often it happens that some of them, after their industry and success there have made them wealthy, they return and empty their riches into England, one in this capacity being able to buy out twenty of what he was when he went over.

“Thus much to justify the credit and benefit of plantations, wherein I have not sought to speak my interest, but my judgment, and I dare venture the success of it with all sober and considering men.”

He then proceeds to a very short notice of the country, observing, “I shall say little in its praise, to excite desires in any whatever. I could truly write as to the soil, air, and water; this shall satisfy me, that by the blessing of God, and the honesty and industry of man, it may be a good and fruitful land.

Does not
wish to in-
duce any to
go by his
praise of the
country.

“For navigation, it is said to have two conveniences; the one by lying ninescore miles upon Delaware River, *i. e.* about threescore and ten miles before we come to the falls, where a

Fine naviga-
tion of the
streams.

1681. vessel of 200 tons may sail, (and some creeks and small harbours in that distance, where ships may come nearer than the river into the country,) and above the falls, for sloops and boats, as I am informed, to the extent of the patent. The other convenience is through Chesapeake Bay."

He then notices briefly, the variety of the timber, and the abundance of the fowl, fish, and wild deer. "Our English provision is likewise to be had there at reasonable rates." The commodities that the country is thought capable of producing, viz. "silk, flax, hemp, wine, cider, woad, madder, liquorice, tobacco, potashes, and iron." He then enumerates what "it does actually produce, hides, tallow, staves, beef, pork, sheep, wheat, barley, and furs of different kinds, to be found among the Indians." He then notices "the way of trading" with other countries, &c.

Products of
the country,
present and
future.

"The constitutions" next claim his attention. According to the patent, the people and governor have a legislative power, so that no law can be made, nor money raised, without the people's consent. The rights and freedoms of England to be in force there. "May enact what laws we please, except against allegiance," which would be void. "So soon as any are engaged with me, we shall begin a scheme or draft together, such as shall give ample testimony of my sincere inclinations to encourage planters, and settle a free, just, and industrious colony there."

Constitution
and laws.

The conditions come next in order, and relate, "1st, To those that will buy. 2d. Those that take up land upon rent. 3d. Servants. As to the first, the shares to be certain as to the number of acres; each to contain 5000 acres, free from any Indian incumbrance, price £100, and 1s. English quit-rent for 100 acres; quit-rent not to begin till after 1684. Second, renters to pay 1*d.* per acre, not to exceed 200 acres. Third, servants, those that are carried; the master shall be allowed 50 acres per head, and 50 acres to every servant when his time is expired. And as some engage with me that may not be disposed to go," he advises an overseer to be sent for every three adventurers, with their servants; and he then speaks of the dividend. "If the persons concerned please, a tract shall be surveyed, of 50,000 acres, to 100 adventurers, of which some of the best shall be set out for towns or cities, and there shall be so much ground allowed to each in those towns, as may maintain some cattle, and produce

Conditions
and division
of shares
and land.
Price and
quit-rents.

Towns and
cities.

some corn;" the remainder of the 50,000 to be shared among the adventurers, (casting up the barren for commons,) and allowing for the same, whereby every adventurer will have a considerable quantity together; likewise every one a proportion by a navigable river, and then backward into the country. The manner of the dividend I shall not be strict in; we can but speak roughly of the matter here, but let men skilful in plantations be consulted, and I shall leave it to the majority of votes among the adventurers, when it shall please God we come there, how to fix it to their own content."

1681.

He then speaks "of the persons that providence seems to have most fitted for plantations: 1st. Industrious husbandmen and day-labourers, that are hardly able (with extreme labour) to maintain their families and portion their children.

Persons
most suitable
to go.

"2d. Laborious handicrafts, especially carpenters, masons, smiths, weavers, tailors, tanners, shoemakers, shipwrights, &c., where they can be spared, or are low in the world; labour will be worth more there, and provisions be cheaper.

"3d. A plantation seems a fit place for those ingenious spirits that, being low in the world, are much clogged and oppressed about a livelihood, for the means of subsisting being easy there, they may have time and opportunity to gratify their inclinations, and thereby improve science, and help nurseries of people.

"4th. A fourth sort of men to whom a plantation would be proper, takes in those that are younger brothers of small inheritances, yet because they would live in sight of their kindred, in some proportion to their quality, and cannot do it without a labour that looks like farming, their condition is too strait for them, and if married, their children are often too numerous for the estate, and are frequently bred up to no trades, but are a kind of hangers on or retainers to the elder brother's table and charity, which is a mischief as in itself to be lamented, so here to be remedied, for land they have for next to nothing, which with moderate labour produces plenty, of all things necessary for life, and such an increase as by traffic may supply them with all conveniences.

"Lastly, there are another sort of persons, not only fit for, but necessary in plantations, and that is, men of universal spirits, that have an eye to the good of posterity, and that both understand and delight to promote good discipline and just government among a plain and well-intending people.

1681. { Such persons may find room in colonies for their good counsel and contrivance, who are shut out from being of much use or service to great nations under settled customs; these men deserve much esteem, and would be hearkened to. Doubtless it was this (as I observed before) that put some of the famous Greeks and Romans upon transplanting and regulating colonies of people in divers parts of the world, whose names, for giving so great proof of their wisdom, virtue, labour, and constancy, are with justice honourably delivered down by story to the praise of our own times, though the world, after all its higher pretences of religion, barbarously errs from their excellent example.”

Then, of the journey, and what may be reasonably expected when they arrive there:

Of the journey, and what is to be done there. “Next, let us see what is fit for the journey and place, when there, and also what may be the charge of the voyage, and what is to be expected and done there at first, that such as incline to go may not be to seek here, or brought under any disappointments there. The goods fit to take with them for use, or sell for profit, are all sorts of apparel and utensils for husbandry, and building and household stuff. And because I know how much people are apt to fancy things beyond what they are, and that imaginations are great flatterers of the minds of men, to the end that none may delude themselves with an expectation of an immediate amendment of their conditions, so soon as it shall please God they arrive there; I would have them understand that they must look for a winter before a summer comes, and they must be willing to be two or three years without some of the conveniences they enjoy at home; and yet I must needs say that America is another thing than it was at the first plantation of Virginia and New England, for there is better accommodation, and English provisions are to be had at easier rates; however, I am inclined to set down particulars, as near as those inform me that know the place, and have been planters both in that and in the neighbouring colonies.

“1st. The passage will come, for masters and mistresses, at most to £6 a head; for servants, £5 a head, and for children under seven years of age, 50s., except they suck, then nothing.

“Next being, by the mercy of God, safely arrived, in September or October, two men may clear as much ground by

spring, (when they set the corn of that country,) as will bring in that time twelvemonth, forty barrels, which amounts to two hundred bushels, which makes twenty-five quarters of corn; so that the first year they must buy corn, which is usually very plentiful. They may, so soon as they come, buy cows, more or less, as they want, or are able, which are to be had at easy rates. For swine, they are plentiful and cheap; these will quickly increase to a stock; so that after the first year, what with the poorer sort sometimes labouring to others, and the more able fishing, fowling, and sometimes buying, they may do very well, till their own stocks are sufficient to supply them and their families, which will quickly be, and to spare, if they follow the English husbandry, as they do in New England and New York, and get winter fodder for their stock.”

1681.

After which an abstract of the patent is inserted. He then concludes by advising to due consideration of all the circumstances and probabilities, and to make no rash or hasty decisions.

“To conclude, I desire all my dear country folks, who may be inclined to go into those parts, to consider seriously the premises, as well the present inconveniences, as future ease and plenty, that so none may move rashly, or from a fickle, but solid mind, having, above all things an eye to the providence of God, in the disposal of themselves. And I would further advise all such at least to have the permission, if not the good liking of their near relations, for that is both natural, and a duty incumbent upon all, and by this means will natural affection be preserved, and a friendly and profitable correspondence be maintained between them. In all which I beseech Almighty God to direct us, that his blessing may attend our honest endeavour, and then the consequence of all our undertaking will turn to the glory of his great name, and the true happiness of us and our posterity. Amen.

Consideration recommended.

“WILLIAM PENN.”¹

Adventurers are referred to Philip Ford, Thomas Rudyard, and Benjamin Clark, for information, &c.

We have, in this document, the origin of the quit-rents, which afterwards gave considerable uneasiness in the province.

Justice Otto Ernest informs the court of Upland that he has bought and paid for, of the Indian proprietors, a certain

June 8.

¹ Reg. Penns. vol. i. p. 308.

1681. swampy or marshy island, called by the Indians "Quist-conek," lying at the upper end of Tinnackonk Island, in the river, opposite Andrews Boone's Creek.

J. Fabricius
and his
salary.

Upon petition of Jacobus Fabricius, "ordered, that the churchwardens of the petitioner's church take care that every one of those who have signed and promised towards his maintenance, do pay him the sums promised, upon pain of execution against the defective."

Ear-marks.
Man fined
for not
working on
roads.

Ear-marks for cattle are now recorded.

John Champion is fined, on complaint of overseers of roads, 25 guilders, for not working upon the highways, on due warning.

Lands
bought on
Schuylkill,
and now
held by va-
rious per-
sons, to pay
their propor-
tion.

William Warner¹ and William Oram requesting, the court ordered, that the several people that hold lands of that which the petitioners bought of the Indians, lying on Schuylkill, every one to repay him proportionably to the quantity of land they hold there, the whole purchase which the petitioners paid being 335 guilders. The following persons hold lands within that limit: Andrew Juchoun, 200; Andrew Homman, 200; Pelle Laerson, alias Peter Pelle, 100; Peter Erickson, 200; William Warner, 100; William Oram, 100; John Booles and John Schooten, 400; Swen Lom, 300; each to pay their proportions.

June 14.
Surveyor of
roads.

William Boyles appointed surveyor and overseer of highways, from the falls to Poetquessing Creek, and to see roads and bridges in good order, by next court, and to require the inhabitants to help.

Gilbert Wheeler is fined £4 for selling strong drink to the Indians.²

On the records in the surveyor-general's office, is the following certificate of survey for land to the Swensons, and is perhaps a part of what was in dispute in 1679. (See pp. 447 and 463.) The creek named is probably the Cohocksink, as Rambo's petition embraced "the land between the land of Wiccacoa and the land of Juriaen Hartsfelder."

June 12.

"By virtue of a warrant from the court of Upland.—Laid out for Swan Swanson, Ole Swanson, Andrew Swanson, inhabitants of Wicakoe, a tract of land, being an addition to

¹ We have noticed, on page 455, a report of the early settlement of Warner; the date of the above purchase is not given; it may have been made several years previously.

² All from Upland Records.

their other land, called Wicakoe, situated and being on the west side of Delaware River; beginning at a corner-marked Spanish oak, standing by the river side, at the mouth of a small run called Cooconocon; from thence up by the ——— north-west 40 perches, to a corner-marked white oak; from thence west by a line of marked trees, 247 perches, to a corner-marked red oak; and from thence south by a line of marked trees, 170 perches, to a corner-marked black oak, standing near the old line of another tract, called Wicakoe; from thence south by east by a line of marked trees, 290 perches, to a corner-marked white oak, standing by the side of Delaware; from thence up by said river, north by east, and north-north-east, 210 perches, to the first-mentioned Spanish oak, containing 345 acres of fast land. Surveyed the 21st of June, 1681, per Richard Noble, surveyor of Upland county.

1681.

Survey of
present site
of Philadel-
phia, for
Swansons.

“This was surveyed in 1681, but when ordered by the court is uncertain, and last year we found it waste, when we began to build a house.

S. H.”

At what time Markham left England is not very certain, but, as appears from the following letter or order, he was in New York on the 21st of June; he must have departed in April, or perhaps early in May. Clarkson, and most of our historians say, he accompanied other commissioners and some emigrants, later in the year, but this is disproved by their very instructions, and completely settled by the order below. It has been intimated, too, that he arrived first in the Delaware, but the probability is that he landed first at Boston or New York, from the circumstance of his commission being on record at the former, and that he obtained the order from the governor at the latter place, on his way to his government. It is addressed by lieutenant-governor of New York “to the justices of the peace, magistrates, and other officers within the bounds and limits mentioned, now called Pennsylvania.

July 1.

Arrival of
William
Markham, as
deputy go-
vernor.

“Whereas his majesty hath been graciously pleased, by his letters-patent bearing date 4th March last, to give and grant to William Penn, esquire, all the tract of land in America now called by the name of Pennsylvania, formerly under the protection and government of his royal highness, as the same is bounded, (as described in the charter,) with all powers, pre-eminences, and jurisdictions necessary for the government of a province, as by letters-patent doth at large appear, which,

Order of
governor of
New York to
inhabitants
in Pennsyl-
vania, to
submit to
Penn's go-
vernor.

1681. with his majesty's gracious letter, directed to the inhabitants and planters within the said limits, and a commission from the said William Penn to the bearer hereof, William Markham, esquire, to be his deputy governor of the said province, have been produced and shown to us, and are entered upon record in the office of records for this province, and by us highly approved of, as his majesty's royal will and pleasure, therefore thought fit to intimate the same to you, to prevent any doubt or trouble that might arise, and to give you our thanks for your good service done in your several offices and stations, during the time you remained under his royal highness's government, expecting no further account than that you readily submit and yield all due obedience to the said letters-patent, according to the true intent and meaning thereof, in the performance and enjoyments of which we wish you all happiness. New York, June 21, 1681.

“ANTHONY BROCKHOLLS.

“By order in council, &c.—John West, clerk of council.”

It does not appear, from this, that any emigrants accompanied Markham, as some historians assert; it is more probable that none came with him, as there had scarcely been time, since the date of the charter, for the preparation we should suppose necessary previous to the removal for a settlement in a new country. But little is known of his acts; such facts as we have met with will appear under their proper dates.

July 21. Penn published “certain conditions or concessions agreed upon between him and the adventurers and purchasers,” in which certain rules of settlement are laid down, and directions for the treatment of the Indians, so as to establish and preserve a firm and lasting friendship with them. These were probably preliminary to the frame of government afterwards adopted.

Conditions and concessions. “Certain conditions and concessions agreed upon by William Penn, proprietary and governor of the province of Pennsylvania, and those who are the adventurers and purchasers in the said province, the 11th of July, 1681.

City to be laid out, and roads. “I. That so soon as it pleaseth God that the above persons arrive there, a certain quantity of land or ground plat shall be laid out for a large town or city, in the most convenient place upon the river for health and navigation; and every purchaser and adventurer shall, by lot, have so much land therein as will answer to the proportion which he hath bought

or taken up upon rent. But it is to be noted, that the surveyors shall consider what roads or highways will be necessary to the cities, towns, or through the lands. Great roads from city to city not to contain less than forty feet in breadth, shall be first laid out and declared to be for highways, before the dividend of acres be laid out for the purchaser, and the like observation to be had for the streets in the towns and cities, that there may be convenient roads and streets preserved, not to be encroached upon by any planter or builder, that none may build irregularly, to the damage of another. In this custom governs.

1681.

“II. That the land in the town be laid out together, after the proportion of ten thousand acres of the whole country; that is, two hundred acres, if the place will bear it; however, that the proportion be by lot, and entire, so as those that desire to be together, especially those that are by the catalogue laid together, may be so laid together both in the town and country.

Proportions
of land.

“III. That when the country lots are laid out, every purchaser, from one thousand to ten thousand acres, or more, not to have above one thousand acres together, unless in three years they plant a family upon every thousand acres, but that all such as purchase together, lie together, and if as many as comply with this condition, that the whole be laid out together.

Quantity to
each to-
gether.

“IV. That where any number of purchasers, more or less, whose number of acres amounts to five or ten thousand acres, desire to sit together in a lot or township, they shall have their lot or township cast together, in such places as have convenient harbours, or navigable rivers attending it, if such can be found; and in case any one or more purchasers plant not according to agreement in this concession, to the prejudice of others of the same township, upon complaint thereof made to the governor or his deputy, with assistance, they may award (if they see cause) that the complaining purchaser may, paying the survey-money, and purchase-money, and interest thereof, be entitled, enrolled, and lawfully invested in the lands so not seated.

May settle
together in
townships.

“V. That the proportion of lands that shall be laid out in the first great town or city, for every purchaser, shall be after the proportion of ten acres for every five hundred acres purchased, if the place will allow it.

Each to have
in city 10 for
every 500
acres.

“VI. That notwithstanding there be no mention made in

1681. the several deeds made to the purchaser, yet the said William Penn does accord and declare, that all rivers, rivulets, woods and underwoods, waters, water-courses, quarries, mines and minerals, (except mines-royal,) shall be freely and fully enjoyed, and wholly, by the purchasers into whose lot they fall.

Provision respecting rivers, mines, &c.

Land for servants.

“VII. That for every fifty acres that shall be allotted to a servant at the end of his service, his quit-rent shall be two shillings per annum, and the master or owner of the servant, when he shall take up the other fifty acres, his quit-rent shall be four shillings by the year, or if the master of the servant (by reason in the indentures he is so obliged to do,) allot out to the servant fifty acres in his own division, the said master shall have, on demand, allotted him from the governor, the one hundred acres at the chief rent of six shillings per annum.

Encouragement to search for mines.

“VIII. And for the encouragement of such as are ingenious and willing to search out gold and silver mines in this province, it is hereby agreed that they shall have liberty to bore and dig in any man's property, fully paying the damage done; and in case a discovery should be made, that the discoverer have one-fifth, the owner of the soil, (if not the discoverer,) a tenth part, the governor two-fifths, and the rest to the public treasury, saving to the king the share reserved by patent.

Proprietary's portion.

“IX. In every hundred thousand acres, the governor and proprietary, by lot, reserveth ten to himself, which shall lie but in one place.

Must plant in three years.

“X. That every man shall be bound to plant or man so much of his share of land as shall be set out and surveyed, within three years after it is so set out and surveyed, or else it shall be lawful for new comers to be settled thereupon, paying to them their survey-money, and they go up higher for their shares.

No trading with Indians except in market.

“XI. There shall be no buying and selling, be it with an Indian or among one another, of any goods to be exported, but what shall be performed in public market, when such places shall be set apart or erected, where they shall pass the public stamp or mark. If bad ware, and prized as good, or deceitful in proportion or weight, to forfeit the value as if good, and full weight and proportion, to the public treasury of the province, whether it be the merchandise of the Indian, or that of the planters.

“XII. And forasmuch as it is not unusual with the planters to overreach the poor natives of the country in trade, by goods not being good of the kind, or debased with mixtures, with which they are sensibly aggrieved, it is agreed, whatever is sold to the Indians in consideration of their furs, shall be sold in the market-place, and there suffer the test, whether good or bad; if good, to pass, if not good, not to be sold for good, that the natives may not be abused nor provoked. 1681.

Goods sold
to Indians
to be tested.

“XIII. That no man shall, by any ways or means, in word or deed, affront or wrong any Indian, but he shall incur the same penalty of the law as if he had committed it against his fellow-planter; and if any Indian shall abuse, in word or deed, any planter of this province, that he shall not be his own judge upon the Indian, but he shall make his complaint to the governor of the province, or his lieutenant or deputy, or some inferior magistrate near him, who shall, to the utmost of his power, take care, with the king of the said Indian, that all reasonable satisfaction be made to the said injured planter.

Offences
against In-
dians to be
punished as
against
whites.

“XIV. That all differences between the planters and the natives, shall also be ended by twelve men, that is, by six planters and six natives, that so we may live friendly together as much as in us lieth, preventing all occasions of heart-burnings and mischief.

Differences
between In-
dians and
whites to be
settled by a
jury.

“XV. That the Indians shall have liberty to do all things relating to improvement of their ground, and providing sustenance for their families, that any of the planters shall enjoy.

Privileges of
Indians.

“XVI. That the laws as to slanders, drunkenness, swearing, cursing, pride in apparel, trespasses, distresses, replevins, weights and measures, shall be the same as in England, till altered by law in this province.

Crimes to be
punished as
in England.

“XVII. That all shall mark their hogs, sheep, and other cattle, and what are not marked within three months after it is in their possession, be it young or old, it shall be forfeited to the governor, that so people may be compelled to avoid the occasion of much strife between planters.

Marks on
cattle.

“XVIII. That in clearing the ground, care be taken to leave one acre of trees for every five acres cleared, especially to preserve oak and mulberries, for silk and shipping.

Preservation
of wood.

“XIX. That all shipmasters shall give an account of their countries, names, ships, owners, freights, and passengers, to an officer to be appointed for that purpose, which shall be registered within two days after their arrival; and if they

Masters of
vessels to
give account,
&c.

1681.

Persons
leaving to
make publi-
cation.

shall refuse so to do, that then none presume to trade with them, upon forfeiture thereof, and that such masters be looked upon as having an evil intention to the province.

“XX. That no person leave the province without publication being made thereof, in the market-place, three weeks before, and a certificate from some justice of the peace, of his clearness with his neighbours, and those he has dealt withal, so far as such an assurance can be attained and given; and if any master of a ship shall, contrary hereunto, receive and carry away any person that hath not given that public notice, the said master shall be liable to all debts owing by the said person so secretly transported from the province.

“Lastly, that these are to be added to, or corrected, by and with the consent of the parties hereunto subscribed.

“WILLIAM PENN.

“Sealed and delivered in the presence of William Boelham, Harbert Springet, Thomas Rudyard.

“Sealed and delivered in the presence of all the proprietors, who have hereunto subscribed, except Thomas Farrinborough and John Goodson, in the presence of Hugh Chamberlen, R. Murray, Harbert Springet, Humphrey South, Thomas Barker, Samuel Jobson, John Joseph Moore, William Powel, Richard Davie, Griffith Jones, Hugh Lambe, Thomas Farrinborough, John Goodson.”¹

July 22.

Opinion of
Penn as a
suitable per-
son for the
enterprise.

A few extracts from a private letter-book, to which we had access, of that date, will show the opinions of individuals in England, and early proceedings on the subject of the proposed colony. The writer says, “I have begun my letter on too little a piece of paper to give thee my judgment of Pennsylvania, but, in short, I and many others wiser than I am, do very much approve of it, and do judge William Penn as fit a man as any one in Europe, to plant a country. When he comes to town, I shall treat with him for 5000 acres for thee. I know £100 is the purchase thereof, and if thou does not conclude soon, it may be too late, for we suppose in a few weeks he will be gone thither. Mr. Penn is like to embark for his new country in a few weeks.”²

On 26th of same month, he alludes to a paper that Penn gave him about Pennsylvania, and says, “I would have had some discourse with him, but he was in such extreme haste to

¹ Reg. Penns. vol. i. pp. 324—326.

² Letter-Book of James Claypoole, in possession of J. Parker Foulke, Esq.

be gone towards Bristol, that we could not have time. He said he would discourse more fully in a few days. There is great encouragement both as to the country and governor, who, I believe, will establish good laws, as near as he can; however, for my own part, if I had a mind to buy land there, I would forbear till I saw that he was not interrupted by Baltimore in his taking possession, for this Baltimore is a great governor in Maryland, that borders on Pennsylvania, and has received rent, for some years past, of the inhabitants thereof, and it is like does so to this day, by connivance; but keep this to thyself."¹

1681.

Apprehension that Lord Baltimore may prevent Penn's taking possession.

At a court of St. Jones county, E. Herman reports surveys of land for twenty-three persons, amounting to 14,247 acres. They were approved and recorded, and to be sent to governor for confirmation.²

July 29.

It would appear from the following, that very soon after receiving the charter for Pennsylvania, William Penn was negotiating for New Castle, and probably for the remaining portion of the territory below.

July.

"Sir John Werden wrote to Mr. Penn, that the duke was not yet disposed to grant the lands about New Castle. He at the same time informed him that he thought his claims to the islands in the Delaware ill-founded, because they were not included by the words of the patent, and were not intended to be granted. He immediately warned Dongan, governor of New York, to prevent Penn's encroachments on his province, or its dependencies, giving a reason, which shows the opinions of men who had done so much business with him, that he was very intent on his own interests in those parts, as you observe."³

Duke objects to Penn's having New Castle.

In a letter of this date, from William Penn to Robert Turner, then in Ireland, he speaks of his refusing very considerable offers for a monopoly of the Indian trade, and his reasons for so doing.

Sept. 4.

Large offers made to Penn, and refused.

"Thy remembrance by several notes, through the hands of J. Hall, I tenderly received; and though I ordered P. Ford to answer thy said letters, and send the things by thee desired, and wrote and sent maps and accounts too, by friend Thomas Lurting, I thought good to send thee a few lines. I have lately been in the west of England, and had a prosperous

Letter from Penn to Turner.

¹ Claypoole's Letter-Book.

² Kent Records, in Breviat.

³ Chalmers, p. 660. N. Y. Entries, pp. 355, 356.

1681. { ous journey in the Lord's service. At my return, from thine to me. The most material is about the quit-rent, &c. Philip will be large to thee upon it. I am contented to sell it to a beaver-skin, which is about a crown value, at ten years' purchase. I did refuse a great temptation last Second-day, which was £6000, and pay the Indians, for six shares, and make the purchasers a company, to have wholly to itself the Indian trade from south to north, between the Susquahanagh and Delaware Rivers, paying me $2\frac{1}{2}$ per cent. acknowledgment or rent; but as the Lord gave it me over all and great opposition, and that I never had my mind so exercised to the Lord about any outward substance, I would not abuse His love, nor act unworthy of His providence, and so defile what came to me clean. No, let the Lord guide me by His wisdom, and preserve me to honour His name, and serve His truth and people, that an example and standard may be set up to the nations; there may be room there, though none here.

"WILLIAM PENN."¹

Private letter confirming the foregoing.

This statement of Penn is confirmed in a letter written 10th of 7th month, by the individual before referred to, and who became largely interested in the colony. He says, "Mr. Penn does not intend starting for Pennsylvania till next spring, and then it is like there will be many people ready to go from England, Scotland, and Ireland. He is offered great things; £6000 for a monopoly in trade, which he refused, and for islands and particular places, great sums of money, but he designs to do things equally between all parties, and I believe truly does aim more at justice and righteousness, and spreading of truth, than at his own particular gain. I tried him about the proposals to take £100 for 5000 acres, and abate the quit-rent, which he refused, intending to do equal by all. If thou will be concerned in one-half of the 5000 acres, I will have the other half, and make as good terms for thee as for myself."² A testimony highly honourable to the proprietary.

Sept. 4.

Penn's letter to James Harrison.

Penn writes to James Harrison, then in England, that "he does not expect to depart as soon as he intended, for the people upon whose going both my resolutions and services on going depended, though they buy and mostly send servants to clear and sow a piece of land against they come, not one-

¹ Memoirs of Penns. Hist. Soc. vol. i. part i. p. 204.

² James Claypoole's Letter-Book.

fifth can now get rid of their concerns here till spring. When they go, I go, but my going with servants will not settle a government, the great end of my going; besides, many flock in to be concerned with me. I am like to have many from France, some from Holland, and hear some Scotch will go for my country. I bless the Lord in obtaining it, and were I drawn inward to look to Him, and to owe to His hand and power, to any other way, and I have so obtained it, and desire that I may not be unworthy of His love, but do that which answers His kind providence, and serve His truth and people, that an example may be set up to the nations; there may be room there, but not here, for such an holy experiment. Now, dear James, for the 50 acres a servant to the master, and 50 to the servant; this is done for their sakes that cannot buy, for I must either be paid by purchase or rent, that those that cannot buy may take up, if a master of a family, 200 acres, at 1*d.* an acre; afterwards, 50 acres per head for every man and maid-servant, but still at the same rent, else none would buy or rent, and so I should make nothing of my country; however, to encourage poor servants to go, and be laborious, I have abated the 1*d.* to $\frac{1}{2}$ *d.* per acre, when they are out of their time. Now if any about thee will engage and buy, there may be ten, yea twenty, to one share, which will be but £5 a piece, for which they each will have 250 acres. For those that cannot pay their passage, let me know their names, and number, and ages; they must pay double rent to them that help them over; but this know, that this rent is never to be raised, and they are to enjoy it for ever. For the acres, it is the common statute acre, as by our law allowed. So, dear James, thou mayest let me know of thee, and how things incline. I shall persuade none; it is a good country; with a good conscience it will do well. I am satisfied in it, and leave it with the Lord.

Explanation of his views with regard to servants, and those who cannot buy.

Provision for those who cannot pay their passage.

“My friend and brother, WILLIAM PENN.

“I here sign thee an authority to sell about thee to any that will.

“A ship goes with commissioners suddenly, in five weeks, to lay out the first and best land to the first adventurers. If any deal, let me know; I clear the king's and Indian title; the purchaser pays the scrivener and surveyor. I sign the deeds at Thomas Rudyard's, when I know who and what.”

A ship with commissioners about to sail for Pennsylvania.

He then adds the following power of attorney:

1681.

Power to J.
Harrison to
sell land in
Pennsylvania.

“Dear James Harrison—I do hereby nominate and appoint thee my lawful agent, in my name, and to my behoof, to bargain and sell (according to printed instructions) any parcel of land in Pennsylvania, not below 250 acres to any one person, from time to time, and I shall ratify by deed, under my hand and seal, all such sales. Witness my hand, this 25th of 6th month, 1681. WILLIAM PENN.”¹

Sept. 7.

First yearly
meetings es-
tablished.

The monthly meeting of Friends, which still met at Thomas Wolsten’s house, and consisted of those about the falls, in West Jersey and Pennsylvania, and the particular meetings at Rancocas and Sachemaxen, who were now become numerous, as well as at Salem and Upland, concluding that a yearly meeting might be of service, agreed to establish one at Burlington, which was accordingly held 28th of August, at the house of Thomas Gardiner; one for worship was also to be held yearly at Salem. The yearly meeting from both sides of the river continued to be held at Burlington till 1684, when it was held at Burlington and Philadelphia alternately. This year also, George Fox sent from London, “a half-sheet of advice to all planters,” directing their attention to the spiritual welfare of the Indians.²

Sept. 9.

Letter from
Governor
Brockholls,
on proposed
invasion by
Lord Baltimore.

It seems that the inhabitants at Jones’s were apprehensive of some disturbance from Lord Baltimore, and that they wrote to Governor Brockholls on the subject. He replies to the justices, that “I am much surprised at your apprehension of my Lord Baltimore’s innovating your parts by force, signified to me by letter from Mr. Justice Whitwell and John Hilyard, which I believe he will in nowise attempt now, whatever he hath done formerly, therefore can give no other directions, than that you fully assert and maintain your authority and rights against any that shall oppose or annoy you, and if any demand or pretence is made, to take no notice thereof, but refer them hither, and in no case admit any change or alteration, or any pretended court or authority, without order from myself, who am resolved to keep your parts as settled under this, his royal highness’s government, and to the uttermost preserve the rights and properties of the inhabitants from any innovation whatsoever.”³

¹ Copied from the original MSS. in possession of the Pemberton family, by William Carr, Esq., of Doylestown.

² Smith’s Pennsylvania, in Reg. Penns. vol. vi. p. 184. Proud, vol. i. p. 160.

³ Extracts from New York Records, in Land Office, Harrisburg. See Reg. Penns. vol. iii. p. 33.

The duke orders, from Edinburgh, that the present commissions of peace and magistrates in New Castle, &c. expiring soon, continue till further orders, and, in case of death, they may be supplied by the governor and council.¹ 1681.

A considerable number of Friends, in and about Dublin, Ireland, having purchased an interest in West Jersey, sent to London to charter a pink; the master, Thomas Lurting, "noted for his remarkable deliverance from the Turks," was taken sick at Dublin, and could not proceed; his mate, John Daggerdish, took his place. They sailed the latter part of September, and in about eight weeks arrived at Elsinburg, near Salem, where settled John and Andrew Thompson, and Robert Zane, former acquaintances of settlers there. Several remained with them that winter; some afterwards went to Burlington, and got orders, and took up land called from them the "Irish tenth." Having made search, they fixed at Newtown Creek; next spring they built on their lots a small town, not without doubts and fears of the Indians, which proved groundless. They settled a meeting, which was kept at the house of Mark Newby, there being no persons near save William Cooper and his family, to which others were soon added. Notwithstanding the land had been purchased by the commissioners of the Indians, they gave them a compensation to move off. The Indians treated them kindly. They suffered but little, deriving supplies from Salem. In two years afterwards, they built a meeting-house at Newtown, but before that, Friends having increased, some by the river side, some on Cooper's Creek, and some at Woodbury Creek, they joined, and with permission from Burlington, set up a monthly meeting, and afterwards, in connection with Friends at Salem, a quarterly meeting.²

September.
Arrival of
Irish Quakers.

Settle at
Newtown
Creek.

Meetings es-
tablished.

The first entry in the records of Chester county court is as follows:

"Province of Pennsylvania, at the court at Upland, (Chester,) September 13th, 1681. Justices present, Mr. William Clayton, Mr. William Warner, Mr. Robert Wade, Mr. Otto Ernest Cock, Mr. William Byles, Mr. Robert Lucas, Mr. Lassey Cock, Mr. Swan Swanson, Mr. Andreas Bankson.

Extract from
Chester
county re-
cords.

"Sheriff, Mr. John Test; clerk, Mr. Thomas Revell.

"An action of assault and battery.—Peter Erickson,

¹ N. Y. Records, in Breviat.

² Smith's Hist. of Pennsylvania, in Reg. Penns. vol. vi. p. 184.

1681. { plaintiff; Harmon Johnson and Margaret, his wife, the defendants.

"Jurors, Morgan Drewitt, William Woodmanson, William Hewes, James Browne, Henry Reynolds, Robert Scholey, Richard Pitman, Lassey Dalboe, John Akraman, Peter Rambo, jun., Henry Hastings, William Oxley.

"Witness, William Parke. The jury find for the plaintiff, and give him 6*d.* damages, and his costs of suit.

"An action of assault and battery.—Harmon Johnson and Margaret, his wife, the plaintiffs; Peter Erickson, defendant.

"Jurors, the same as above. Witnesses, Anna Coleman, Richard Buffington, Ebenezer Taylor. The jury find for the plaintiffs, and give them 40*s.* damages, and their costs of suit.

"Thus it appears, that the two first actions tried in the peaceful land of Penn, were for assault and battery, and all the parties convicted!"

In the minutes of the same court is the following entry :

"Lassey Cock, upon proclamation in this court, that if any had any thing against him, they should declare it; whereupon, Daniel Brenson and Charles Brigham, upon oath, together with Walter Pumphrey, upon his solemn attestation, declared what they heard certain Indians speak against him and Captain Edmund Cantwell; the said Lassey Cock, upon oath, declared his innocency, and that he had never spoken those words to the Indians, or any of that nature, was thereupon cleared by the court."¹

October 4.
Vessels for
Pennsylvania.

"There is a ship going for Pennsylvania, from Bristol, and William Penn is gone thither to take his leave of the Friends; and there is another ship going thither from London, and may be ready in a fortnight, but William Penn does not go till spring."²

Ship "New Adventure," Dagger, and "Henry and Ann," arrived this year.

Early locations of
lands about
Camden,
New Jersey.

The land in the neighbourhood of Camden "was located at three several times; the oldest appropriation was of the tract reaching from Little Newton Creek about to Line street in Fetersville. On the 4th and 5th of July, 1678, Byllinge and trustees granted this tract, being two-sevenths of a propriety, to Samuel Norris, who subsequently sold a portion to R. Turner, (1686,) and he, in 1696, sold 455 acres to John Kaighn, from whom Kaighn's Point derives its name. The

¹ Reg. Penns. vol. v. pp. 156, 157.

² Claypoole's Letter-Book.

second location; in respect to contiguity, was of the land lying between Cooper street and Cooper's Point. This was made in 1679, by William Cooper, who emigrated from England. He built a mansion, the remains of which were visible a few years since, on a high bank above Cooper's Point, called by him Pine Point, from a dense pine forest which then grew there. He also took up other considerable tracts of land in Gloucester county, most of which yet remain in the family. William Royden, by a third location, made Sept. 20, 1681, appropriated the land between Cooper street and Kaighn's line. Cooper, of Pine Point, next year bought out his interest, and further secured himself by getting an Indian deed guarantying the possession of Pine Point and adjacencies, against all other Indians. This deed is signed by Tallaca, the resident chief, and witnessed by several of his tribe. For many years, the ferry-house and mansion at the point, the middle ferry, at the foot of Cooper street, and four or five ferrymen's houses, constituted the whole of Camden."¹

Three commissioners were appointed, by Penn, for the settling of the colony. They were to proceed to Pennsylvania, where they would find Markham, with whom they were to act, in accordance with the following instructions, in regard to the location of the city, and their treatment of the Indians.

October 10.

Penn sends over three commissioners.

"Instructions given by me, William Penn, proprietor and governor of Pennsylvania, to my trusty and loving friends, William Crispin, John Bezar, and Nathaniel Allen, my commissioners for the settling of the present colony this year transported into the said province.

Instructions to them.

"1st. That so soon as it shall please Almighty God to bring you well there, you take an especial care of the people that shall embark with you, that they may be accommodated with conveniences as to food, lodging, and safe places for their goods, concerning which my cousin, William Markham, my deputy, and now on the spot, will in a good measure be able to direct, that so none may be injured in their healths or estate, in which, if you find the Dutch, Swedes, or English of my side hard or griping, taking an advantage of your circumstances, give them to know that they will hurt themselves thereby, for you can for a time be supplied on the other side, which may awe them to moderate prices.

¹ Smith's Hist. of Pennsylvania, in Reg. Penns. vol. vi. p. 183. Mickle's Reminiscences of Gloucester, pp. 53, 54.

1681.

Instructions
to commis-
sioners,
continued.

“2d. That having taken what care you can for the people’s good, in the respects abovesaid, let the rivers and creeks be sounded on my side of Delaware River, especially Upland, in order to settle a great town, and be sure to make your choice where it is most navigable, high, dry, and healthy; that is, where most ships may best ride, of deepest draught of water, if possible to load or unload at the bank or key side, without boating and lightering of it. It would do well if the river coming into that creek be navigable, at least for boats, up into the country, and that the situation be high, at least dry and sound, and not swampy, which is best known by digging up two or three earths, and seeing the bottom.

“3d. Such a place being found out, for navigation, healthy situation, and good soil for provision, lay out ten thousand acres contiguous to it in the best manner you can, as the bounds and extent of the liberties of the said town.

“4th. The proportion in the said town is to be thus: every share, or five thousand acres, shall have an hundred acres of land out of that ten thousand acres. If more than one be concerned in the share, as it may easily fall out, then they to agree of the dividing the same, as they shall think fit, still keeping to proportion, as if one hundred pounds will have an hundred acres, five pounds will have five acres.

“5th. That no more land be surveyed or set out till this be first fixed, and the people upon it, which is best, both for comfort, safety, and traffic. In the next season, the Lord willing, I shall be with you, and then I shall proceed to larger lot; this was the resolution of a great part of the purchasers, at London, the 15th day of September, 1681, and I find it generally approved.

“6th. If it should happen that the most convenient place for this great town should be already taken up, in greater quantity of land than is consistent with the town-plot, and that land not already improved, you must use your utmost skill to persuade them to part with so much as will be necessary, that so necessary and good a design be not spoiled; that is, where they have ten acres by the water side, to abate five, and to take five more backward, and so proportionably, because that, by the settlement of this town, the remaining five, in two or three years’ time, will be worth twice as much as those ten before, yea, what they take backward for their water-side land, will, in a little more time, be really more

valuable than all their ten forward was before; urging my regard to them if they will not break this great and good contrivance, and in my name promise them what gratuity or privilege you think fit, as having a new grant at their old rent; nay, half their quit rent abated, yea, make them as free as purchasers, rather than disappoint my mind in this township; though herein be as sparing as ever you can, and urge the weak bottom of their grant, the Duke of York having never had a grant from the king, &c. Be impartially just and courteous to all, that is both pleasing to the Lord, and wise in itself.

1681.

Instructions
to commis-
sioners,
continued.

“7th. If you gain your point in this respect, (of which be very careful,) fall to dividing as before, according to shares; then subdivide, in which observe that you must narrower spread by the water side, and run backward more or less, according to the compass you have by the water side, to bring in the hundred share for their proportion in the said ten thousand acres.

“8th. But if you cannot find land enough by the water side to allow an hundred acres to five thousand acres, get what you can, and proportionably divide it, though it were but fifty acres for a share.

“9th. Be tender of offending the Indians, and hearken, by honest spies, if you can hear that any body inveigles the Indians not to sell, or to stand off and raise the value upon you. You cannot want those that will inform you, but to soften them to me and the people, let them know that you are come to sit down lovingly among them. Let my letter, and conditions with my purchasers about just dealing with them, be read in their tongue, that they may see we have their good in our eye, equal with our own interest, and after reading my letter and the said conditions, then present their kings with what I send them, and make a friendship and league with them, according to those conditions, which carefully observe, and get them to comply with you. Be grave; they love not to be smiled on.

“10th. From time to time, in my name, and for my use, buy land of them, where any justly pretend, for they will sell one another's, if you be not careful, that so such as buy and come after these adventurers may have land ready, but by no means sell any land till I come; allow no old patents,

Instructions
to commis-
sioners,
continued.

1681. they have forfeited them by not planting according to the law of the place, and it cost me too dear to allow such old stories: rather than fail, offer them the patent charge, and where surveyed, the survey money; but this is understood only of unplanted places only.

“11th. Let no islands be disposed of to anybody, but all things remain as they were in that respect till I come.

“12th. Be sure to settle the figure of the town so as that the streets hereafter may be uniform down to the water from the country bounds; let the place for the storehouse be on the middle of the key, which will yet serve for market and statehouses too. This may be ordered when I come, only let the houses built be in a line, or upon a line, as much as may be.

“13th. Pitch upon the very middle of the plat where the town or line of houses is to be laid or run, facing the harbour and great river, for the situation of my house, and let it be not the tenth part of the town, as the conditions say, viz. that out of every hundred thousand acres shall be reserved to me ten, but I shall be contented with less than a thirtieth part, to wit, three hundred acres, whereas several will have two by purchasing two shares, that is, ten thousand acres, and it may be fitting for me to exceed a little.

“14th. The distance of each house from the creek or harbour should be, in my judgment, a measured quarter of a mile, at least two hundred paces, because of building hereafter streets downwards to the harbour.

“15th. Let every house be placed, if the person pleases, in the middle of its plat, as to the breadth way of it, that so there may be ground on each side for gardens or orchards, or fields, that it may be a green country town, which will never be burnt, and always be wholesome.

“16th. I judge that you must be guided in your breadth of land by what you can get that is unplanted, and will not be parted with, but so far as I can guess at this distance, methinks in a city, each share to have fifty poles upon the front to the river, and the rest backward will be sufficient. But perhaps you may have more, and perhaps you will not have so much space to allow; herein follow your land and situation, being always just to proportion.

“17th. Lastly—Be sure to keep the conditions hereunto

affixed, and see that no vice or evil conversation go uncomplained of or punished in any, that God be not provoked to wrath against the country.

1681.

“In witness hereof, I do hereunto, the 30th of September, 1681, set to my hand and seal.

“WILLIAM PENN.



“Present as witnesses, Richard Vickry, Charles Jones, jr., Ralph Withers, Thomas Callohill, Philip Th. Lehnmann.”¹*

The court of assizes at New York pass an order “against persons exhibiting and preferring divers causeless and vexatious accusations and indictments into the courts within this government, against magistrates and others concerned in the public affairs of the government, thereby causing great trouble and disturbance.”²

October 16.

Vexatious charges prohibited against magistrates.

Mr. Levin makes a long report. When he arrived, Andross was at Boston; on his return, he received various books immediately, some altered; some between 1674 and 1676 did not appear long out of the clerk's hands. He got all he could, but charged governor and clerks with holding some. The same with the land books; most patents of former governors don't give acres; very imperfect; taxed at uncertain rates; imperfect accounts, &c. “No weigh-house in all the government, except at New York.” Proposes farming duty. There have been several collections in Delaware, at 1*d.* per £, and applied to the counties, yet it is in debt; could not get books of prices; difficult to discover the frauds, &c. used by the merchants, &c. &c. No account of whales kept; “your royal highness has only a share of what is stranded.” No certain account of vessels. Governor was pleased to tell him he had now power to inspect the revenues; could find how it was possible to spend the whole revenue in the fort. Nothing about South River, &c.

Abstract of Mr. Levin's report.

The governor, in his reply, feels much vexed with his conduct. Vindicates his officers and himself, and charges Mr. Levin with misrepresentation, &c.³

Governor replies.

The Indians presented a petition to Governor Markham, for the removal of a prohibition respecting the sale of rum to them, for the reasons they assign in the following document:

October 18.

¹ Memoirs of Penns. Hist. Soc. vol. ii. p. i. pp. 215—221.

² New Castle Records, p. 352.

³ See both at length in “London Documents,” at Albany, vol. iv.

* See Appendix.

1681.

Petition of
Indians to
governor for
sale of rum.

“Whereas the selling of strong liquors was prohibited in Pennsylvania, and not at New Castle, we find it a greater ill-convenience than before, our Indians going down to New Castle, and there buying rum, and making them [¹] more debauched than before, (in spite of the prohibition.)

“Therefore we, whose names are hereunder written, do desire that the prohibition may be taken off, and rum and strong liquors may be sold (in the foresaid province) as formerly, until it be prohibited in New Castle, and in that government of Delaware.

“Pesienk, in Pennsylvania, 8th October, 1681.

“NANNE SEKA, his mark.



“KEKA KAPPAN, his mark.



“JONG GORAS, his mark.



“ESPON APE, his mark.



“To the governor and council of Pennsylvania.”²

October 28.

By the commissioners, Penn writes a letter to the Indians, the original of which was read, a few years ago, to the Penn Society of this city. The following is a copy of it. It was written on paper, with ruled lines, and in a more formal hand than usual.

“London, 18th of 8th month, 1681.

“My friends—There is one great God and power that hath made the world and all things therein, to whom you and I, and all people owe their being and well-being, and to whom you and I must one day give an account for all that we do in the world; this great God hath written his law in our hearts, by which we are taught and commanded to love and help, and

Penn's letter to the
Indians.

¹ Here a word illegible.

² Memoirs of Penns. Hist. Soc. vol. iii. part ii. pp. 206, 207.

do good to one another, and not to do harm and mischief one to another. Now this great God hath been pleased to make me concerned in your parts of the world, and the king of the country where I live hath given unto me a great province, but I desire to enjoy it with your love and consent, that we may always live together as neighbours and friends, else what would the great God say to us, who hath made us not to devour and destroy one another, but live soberly and kindly together in the world? Now I would have you well observe, that I am very sensible of the unkindness and injustice that hath been too much exercised towards you by the people of these parts of the world, who sought themselves, and to make great advantages by you, rather than be examples of justice and goodness unto you, which I hear hath been matter of trouble to you, and caused great grudgings and animosities, sometimes to the shedding of blood, which hath made the great God angry; but I am not such a man, as is well known in my own country; I have great love and regard towards you, and I desire to win and gain your love and friendship, by a kind, just, and peaceable life, and the people I send are of the same mind, and shall in all things behave themselves accordingly; and if in any thing any shall offend you or your people, you shall have a full and speedy satisfaction for the same, by an equal number of just men on both sides, that by no means you may have just occasion of being offended against them. I shall shortly come to you myself, at what time we may more largely and freely confer and discourse of these matters. In the mean time, I have sent my commissioners to treat with you about land, and a firm league of peace. Let me desire you to be kind to them and the people, and receive these presents and tokens which I have sent to you, as a testimony of my good will to you, and my resolution to live justly, peaceably, and friendly with you.

“I am your loving friend, WILLIAM PENN.”¹

A vacant piece of ground, “towards north-east end of town,” to De La Grange, for the purpose of building on it a good windmill, for the common good of the inhabitants; toll not to be more than one-tenth, and to drain the marsh.²

“A ship is going for Pennsylvania; the passengers go

¹ Reg. Penns. vol. i. p. 376.

² New Castle Records, p. 357.

1681. away to-morrow, and in the spring William Penn intends to be there himself."¹

November 7. The intercourse already formed between England and this country may be judged of by the following extract of a letter from the writer to his brother in Burlington:

Regular inter-
course
with
America.

"Ships come pretty often from New York, New Jersey, or Maryland, by one of which ways, I believe, thou mayest send almost every month in the summer."²

As an evidence that great prudence and deliberation were observed prior to removal to the country, another extract from the same letter is given:

Anxiety to
obtain cor-
rect accounts
of the coun-
try.

"I desire thee to write at large what encouragement there is to remove from hence with a family, to dwell in those parts, and what commodities is most profitable to carry with one; and in what time a man may, if he arrive there in the seventh month, with the help of three or four servants, clear ground enough to afford corn and feed cattle for a family of fifteen or twenty. What safety or hazard may be expected from the Indians. In what time, and with what charge, a house, with ten or twelve rooms, and barn and stables, &c., may be built. In what time an orchard will bear. What sorts of trade is now amongst them, and what like to be, as the people increase; but especially give me advice of merchandise; what quantities and what sorts are most saleable, and what returns may be expected; and whether New Jersey or Pennsylvania be most advisable to settle in. I desire the more particular and large account, because I have purchased of William Penn 5000 acres in his country, and I know not how I may be disposed in my own mind, in a year or two's time, to remove thither with my family; however, in the mean time, I purpose to send over my attorney, with some servants, to build and plant, &c., and to provide cattle and all other necessaries, that if ever I come there, my land may be still improving, or some part of it, and not lie wholly waste; and if I should send over one of my sons as overseer, and some servants, what sort of servants may be most profitable; and any thing else thou canst think of, may be for direction, and how the country is as to heat and cold, how long winter and summer; what fruits grow, with plenty of all things; and what inconveniences there is which we know not here, as hazards by wild beasts, snakes, serpents, or flies for biting or poisoning, that

¹ Claypoole.

² Ibid.

we know beforehand what may be expected of good or bad. 1681.
 So not doubting but thee will be both able and willing to give
 me a satisfactory account of these particulars, and much more
 than I can mention, &c. &c.”¹

The justices of New Castle inform the lieutenant-governor Nov. 21.
 at New York, that, “at a late court, a servant was proceeded Escape of a
 against at court, and a warrant issued, but the man made his prisoner
 escape from the under-sheriff, and keeps at present in Penn- from sheriff,
 sylvania and Burlington, and desire his instructions for our into Penn-
 rule on this and like occasions.” The proclamation brought sylvania.
 by John Moll is published. The governor, a few days after, Governor’s
 replies, “you did well to prosecute, but your officers were not opinion of it.
 so careful as they ought on service of a warrant, his offence His demand
 being great.” The governor wrote to governor of Pennsylv- of him of go-
 vania to make inquiry about him, “and if he have absconded vernor of
 in that government, to deliver him to you; if submissive, bind Pennsylvania.
 him over to next court; if stubborn, send him on to New
 York.”²

“Thomas Rudyard is agreeing, at London, with a great December 5.
 ship for Pennsylvania, and I hear there is another going from Vessels for
 Bristol, and in the beginning of summer, it is expected there Pennsylvania.
 will go three or four ships more from London.”³

The first acts of the assembly of West New Jersey were December 8.
 passed at Burlington, November 28.⁴

“William Penn is extraordinary busy about his new coun- December 9.
 try, and purchasers present daily.”⁵

The second court was held at Upland, November 30; pre- Penn very
 sent, William Markham, Esq., governor and president, (being busy.
 the first time he is mentioned as present;) Justices James Dec. 10.
 Sanderland, Thomas Fairman, Hendricks Bankson, and those Court at Up-
 who were present on the 13th September; sheriff and clerk land. Mark-
 as before. First case is for a debt for 160 guilders.⁶ The ham present.
 next is for stealing a hog. The evidence is recorded at length,
 (as is frequently the case in the early minutes, and sometimes
 such as would not appear well in print,) as follows, and shows
 the nature of testimony sometimes admitted.

“John Anderson, bound by recognisance to appear at this Proceedings
 court, to answer our sovereign lord the king, upon the accu- of court.
 sation of Richard Noble, Peter Rambo, jun., and Lawrence
 Lawrenson, who were bound over to prosecution. This court

¹ Claypoole.² New Castle Records, p. 91.³ Claypoole.⁴ Leaming & S. p. 426.⁵ Claypoole.⁶ West Chester Records.

1681. proceeded upon indictment, to which the prisoner pleaded not guilty, and put himself upon the trial, &c. of this jury.

Proceedings
of court,
continued.

“Jurors, George Foreman, gent., John Child, Nathaniel Allen, Nathaniel Evans, William Oxley, John Akraman, Albert Hendrickson, Mons Peterson, Wooley Rawson, John Cock, Erick Cock, Peter Yoakham.

“Richard Noble deposed that he, with several others, found divers pieces of burnt pork or bacon in the said Anderson’s house; and also that he, the said Richard Noble, with others, found hidden and unfrequented places in an out-house belonging to the said John Anderson, where (as an Indian had before then informed them) the said Anderson used to hide pork; and further deposed, that the said Anderson gave out threatening words against the officers and others who came to search.

“Peter Rambo, jun. and Lawrence Lawrenson deposed the same as above. Judith Noble deposed, that the said Anderson gave out threatening words against the officers and others who came to search.

“Francis Walker deposed, that a person who bought a piece of pork of the said Anderson, told him, the said Walker, that the said pork had a bullet in it.

“Frances Stephens deposed, that the said Anderson being asked concerning a hog’s head, (he the said Anderson having then a headless hog,) where the head then was, he the said Anderson answered, he had left the head down the river, and the said Anderson’s boy said no, the hog’s head is upon the mill at home.

“John Hollinshead gave in his evidence before Thos. Budd, a magistrate at Burlington, which was also produced, under the hand of the said Thomas Budd, being of the same import with the deposition of the aforesaid Francis Stephens.

“Thomas Wallis gave in his evidence before the said Thomas Budd, and testified under the hand of the said Thomas Budd, of the same import with the aforesaid Judith Noble’s testimony.

“Another examination, of notorious circumstances, of a stranger who lay at the said Anderson’s, taken by Mahlon Stacy, a magistrate at the falls, and signified under his hand.

“Verdict.—The jury bring in the prisoner not guilty, and thereupon, by order of court, is discharged.”¹

¹ Reg. Penns. vol. v. p. 157.

The court of assizes, New York, try John Moll on various charges; the jury find him guilty of several, but the court acquit him, against which Abraham Mann protests, "in a paper sent to the court by his servant."¹ 1681.

By an act of West Jersey, "vessels bound to this province, after a certain day in November, are obliged to enter and clear at the port of Burlington." It was also made the "chief town, and head of the province," and next year Salem was also made a port of entry. John White, collector of Burlington.² Dec. 16. Burlington a port of entry and capital of West Jersey.

It is stated by historians, that three ships sailed this year from London, and one from Bristol, for Pennsylvania. The "John and Sarah," which vessel has already been mentioned, is said to have arrived first. The "Amity," Richard Dimon, is said to have been blown off the coast, to the West Indies, and not to have arrived till spring. This must, we think, be an error, as we have positive proof that she did not leave England till April of next year, (which see.) The third was the "Bristol Factor," Roger Drew, commander; she arrived at the place where Chester now stands, on December 11th, where the passengers, seeing some houses, went ashore, at Robert Wade's landing, near the lower side of Chester Creek, and the river having frozen up that night, the passengers remained at Chester all winter. There were several persons on board these ships who became distinguished in the province; among these was Joseph Kirkbride, then a boy, and some servants of Penn. It is highly probable, too, that Penn's commissioners arrived in one of these vessels, but certainly Markham did not, as has already been shown, as he must then have been in the country some months.³ Dec. 21. Arrival of the Bristol Factor, with passengers. Delaware freezes in one night.

It appears that some letters from New Jersey had spoken so favourably of the country as to induce a suspicion of an evil design. A letter says, "as to thy judgment of the letters from New Jersey, that they are to decoy people, that is known to be otherwise, and that the chiefest of them came from very honest, faithful friends."⁴ Dec. 29. Letters from New Jersey suspected.

¹ New Castle Records.

² Leaming & Spicer, pp. 432, 447.

³ Proud, vol. i. p. 193.

⁴ Claypoole.

1682.

January 10. The first meeting of record was held at the house of Robert Wade, in Upland or Chester, on the 10th of eleventh month, 1681, the Quakers having had meetings for worship there regularly since 1675, when Wade arrived.¹

January 29. In answer to some inquiries respecting Penn's views on certain points relating to the sale of lands, made by James Harrison, who, it will be recollected, was empowered to make sales in England, of lands in Pennsylvania, Penn writes, "The acres are statute measure; the highways are allowed for, according to the custom of plantations. As to that of not setting out people's land but as stocked or improved, it is a mistake; in three years they should own, or set somebody on it, not have it by scraps, and as improved, by no means; though if it were not as a planter, but lie long unplanted, it would damage neighbouring plantations, as to harbouring of vermin and wild beasts; but there is a difference between planting and improving; as for choosing, I can say but little till then, but some is worth more and some less, and if any buy on sight, they must go by the worth, not by the present price, else 5000 acres may, as they may lie, be worth £500, yet I take the meadows to myself; the land is taken up as amongst the first or second adventurers, and then divided amongst them, by date or lot, as they agree. The Cheshire Friends can inform thee more particularly."²

February 5. Governor Brockholls, of New York, directs E. Herman "to collect and receive the quit-rents and arrears due on Delaware River as formerly, as well as what was in arrear in that part of the river now called Pennsylvania." He also writes to Governor Markham of Herman's appointment as collector, and asks governor to aid him.

Magistrates propose to lay out the twelve miles circle. He also says to Herman, "as to the desire of the magistrates to join to lay out the twelve miles circle above New Castle, it is not within their cognisance, but if necessary and desired here, shall appoint as may be most proper."³

The following extract from a letter, (dated 12th month 11th,

¹ Proud, vol. i. p. 218.

³ Breviat.

² Pemberton MSS.

1681,) shows the mode of proceeding in taking up land in England: 1682.

“The method of Friends taking up land of William Penn, is by deeds of conveyance, for which the purchaser pays about 12s. If it be for 5000 acres, which is called a whole share or propriety, for that we pay £100, and 50s. per annum quit-rent, to begin in 1683 or 1684, I cannot tell which; they that will pay no rent, must pay £120 present, and so for a lesser quantity proportionable; and he that can settle some few families, I think about six, may have his land altogether; and every purchaser of 5000 acres is to have 100 acres by lot in the first city. The concessions or fundamentals for government are to be perfected this day, and then to be engrossed, and signed and sealed by the governor and purchasers, which, if it may be permitted, I shall send you a copy of, and then may write you more at large, if you intend to be concerned, as also about our Pennsylvania Company.”¹

February 21.
Manner of
proceeding
in England
in purchas-
ing Pennsylv-
ania lands,
and the
terms ex-
plained.

The “frame”
of govern-
ment in pro-
gress.

First notice
of a Penn-
sylvania
company.

The “fundamentals for government” here referred to, probably alludes to the “frame,” which, however, was not completed and signed till April 25th, (which see.)

The first notice we have seen of “a company,” is in the above extract, and no doubt refers to the “Free Society of Traders,” respecting the progress of which we shall make further extracts. It was probably only talked of at this time.

The foregoing extract also probably explains why, in several towns, as we have noticed in the instances of Marcus Hook, Chester, Shackamaxon, the original plot was laid off in a body to six persons.

Why town
plots are laid
off to six
persons.

“Fenwick conveyed the moiety of his proprietary, which he originally purchased from John, Lord Berkley, to Governor Penn, of Pennsylvania, excepting and reserving therefrom, to himself, his heirs and assigns, for ever, all that tract of country which was called Fenwick’s Colony, containing, as was supposed, 150,000 acres.”² Fenwick designed to erect several towns.

March 11.
Fenwick con-
veys land to
Wm. Penn.

Salem was this year made a port of entry. “After the 18th of May, vessels bound for Salem have liberty to enter and clear there, paying 1s. for entering, and 1s. for clearing, for all vessels under 100 tons, and 2s. for vessels upwards of

Salem made
a port of en-
try.

¹ Claypoole’s Letter-Book.

² Johnson, p. 26.

1682. 100 tons. James Nevill is appointed collector." Heretofore Burlington had been the only port of entry.¹

March 14.
Court at
Upland.
Overseers of
roads ap-
pointed.

Third court at Upland; Markham again present. "A case of trover for a sow." Overseers of highways were appointed for one year, for the several districts, viz. Wooley Rawson, from Marcus Creek to Naaman's Creek; Robert Wade, from Naaman's Creek to Upland Creek; William Oxly, from Upland Creek to Ammersland's Creek; Mons Staukett, from Ammersland's Creek to Karkus Mill; Peter Yokeham, from Karkus Mill to Schorekill Falls; Andreas Rambo, from Schorekill Falls to Tawcony Creek; Erick Mullikey, from Tawcony Creek to Poquessink Creek; Claus Johnson, from Poquessink Creek to Samuel Cliff's; and John Akraman, from Samuel Cliff's to Gilbert Wheeler's.²

Grants of
land by
Penn, in
England.

There are various deeds from William Penn, in England, about this time, on record at West Chester, in parcels of 500 acres, "to be admeasured and computed according to the dimensions of acres mentioned and appointed in and by the statute of 33d of King Edward, to be allotted and set in such places or parts in said province, and in such manner and at such time or times as by certain concessions or constitutions, bearing date the 11th of July last, and signed, sealed and executed by and between said William Penn, on the one part, and said B. C. on the other, of lands within said province, of the other part, &c."³

March 17.
Penn desires
grape-vines.

At William Penn's request, Claypoole writes to his friend in France, and says "he wishes to get about 1500 to 2000 vine plants, to carry with him to Pennsylvania, a colony in the West Indies, near Maryland, which the king has given him, lying in 41°, 42°, 43°, north latitude, whither he intends, God willing, with his family and servants, and many people, [to go] this summer. He desires of those that bear the best grapes, rather than the most. There are now several vessels at Bordeaux, which will take them."⁴

March 21.
Progress of
the Penn-
sylvania
Company.

"As to settling a company in Pennsylvania, we have had many meetings, and debated about it, and brought matters now so to bear as we think will give general content. The proposals or articles are transcribing, and next week we shall come to a conclusion to desist or send copies abroad."⁵

¹ Law in Leaming & Spicer, sec. 8, p. 446.

² Upland Records, at West Chester.

⁴ Claypoole's Letter-Book.

³ Ibid.

⁵ Ibid.

Having previously purchased land, the same writer, on the 31st, says, “As to planting my land in Pennsylvania, I have had divers considerations on my mind, which way to proceed, but cannot come to any conclusion. Sometimes I am thinking to send one of my sons as an overseer, with two or three servants, to build a little house, and plant an orchard and garden, and get some cattle, and ground cleared for corn, and so to go on raising corn and cattle; and at other times I am thinking to send some honest, poor friend, with a servant or two, to act for me as my attorney, that if I should have an inclination hereafter to go thither with my family, I may have a house and some provisions ready. I conclude on neither yet, because of some objections which I cannot get over, and the settling the company, wherein there may some encouragement be offered for my going there myself; and one grand objection is, that I may not possibly like the house nor situation, and so not care to dwell in it. We have concluded our business and all things relating to the company; we shall send copies thereof to divers parts.”

1682.

Considerations suggested in view of going to Pennsylvania, and various plans laid. Doubts and fears.

Pennsylvania Company.

And a few days later, he says, “The articles for the Pennsylvania Company are printing. I cannot tell what to write you about the deeds for land, but yours will be like mine and others, which are approved by men skilled in the law; and as to improving of land there, I can say little at present, but do find myself more inclined to go, so that I believe it will be my lot to remove with my family before a year be passed.”

Penn's deeds for land.

On the 22d and 23d March, William Penn granted to N. Moore and others, deeds of lease and release for a large body of land, and by the following charter, dated March 25th, erects it into a manor, and incorporates them into a company, with most extraordinary powers and privileges, by the name of the Free Society of Traders. This is the Pennsylvania company heretofore alluded to.

April 1 & 2.

April 4.

“To all people to whom these presents shall come:

April 3.

“Whereas King Charles the Second, by his letters-patent under the great seal of England, for the consideration therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn, Esq., son and heir of Sir William Penn, deceased,) and to my heirs and assigns for ever, a certain province in America, by the name of Pennsylvania, and hath thereby also given me power, and to my heirs, to grant or alien any part or parcel of the

Charter of the Free Society of Traders.

Preamble.

1682.

Lease and
release of
20,000 acres.

said province, to any person or persons, in fee-simple, or for any other estate, to be holden of me and my heirs, by such rents, customs, and services as shall seem fit unto me the said William Penn, and my heirs, with a clause of *non obstante* to the statute *Quia Emptores Terrarum*, made in the eighteenth year of the reign of King Edward the First; and also erect into manors any such parcels of land as I and my heirs shall have granted or aliened as aforesaid, and to enable such grantees or alienees, and their heirs, to have and to hold courts-baron, courts-leet, and view of frank-pledge, within the same, and to give and grant to any other person or persons, any part or parcel of the lands granted or aliened to them by me or my heirs, to be holden of them and their heirs. And whereas I have, by my several indentures of lease, bearing date the two and twentieth, and of release, bearing date the three and twentieth day of the first month, called March, in the four and thirtieth year of the said now king's reign, granted unto Nicholas Moore, of London, medical doctor, James Claypoole, merchant, Philip Ford, William Sherloe, of London, merchants, Edward Peirce, of London, leather-seller, John Symcock, and Thomas Brassey, of Cheshire, yeoman, Thomas Baker, of London, wine-cooper, and Edward Brookes, of London, grocer, and their heirs, to the use of themselves, and their heirs and assigns, twenty thousand acres of land, parcel of the said province of Pennsylvania, in trust nevertheless, for the 'Free Society of Traders,' in Pennsylvania, and their successors, as soon as the said Free Society should be by me incorporated or erected, as in and by the said indentures, (relation being thereunto had,) more fully doth appear.

The land
erected into
a manor.

"Now know all men by these presents, that I, the said William Penn, according to the power given by the said letters-patent, do erect the said twenty thousand acres into a manor, and do constitute, make, and confirm the same to be henceforth a manor, by the name of the Manor of Frank, to all intents and purposes; and I do hereby authorize, give power, and grant to the said Nicholas Moore, James Claypoole, Philip Ford, William Sherloe, Edward Peirce, John Symcock, Thomas Brassey, Thomas Barker, and Edward Brookes, and to such other persons as they shall hereafter receive into their society, by the name of 'The Free Society of Traders,' in Pennsylvania, and to their successors, whom

I hereby erect and constitute a corporation by that name, to all intents and purposes, for the better improvement of trade, to sue and be sued, and to answer and be answered by that name, and by that name to give and grant to any person or persons, such part or parcel of the said Manor of Frank as to them shall seem meet, to be holden of them and their successors, in free and common soccage, by such rents, customs, and services, as to them and their successors shall seem meet, so as the same be consistent with the said tenure in free and common soccage. And also, that the said Free Society of Traders, in Pennsylvania, and their successors, shall and may, from time to time, and at all times hereafter, receive, take, and enjoy, all such rents, customs, and services reserved as aforesaid, together with all other services incident to the said tenure, and all the fruits and consequents thereupon, to their own use and behoof.

1682.

The mem-
bers incor-
porated.

“ And I do also, according to the said powers given by the said letters-patent, grant unto the said Free Society of Traders, in Pennsylvania, and their successors, that they, by themselves, or by the justices and keeps of the peace hereinafter mentioned, may from henceforth hold two sessions and jail deliveries yearly, at such convenient times as they shall think best, who may hear and determine all pleas and controversies, as well civil as criminal, which shall arise within the said Manor of Frank and corporation aforesaid, wherein no other justices or other officers of the said province shall intermeddle, and that they, by themselves, or by their stewards, may for ever hold a court-baron within the said manor, and may do and execute all such matters and things as are belonging and incident unto, are used and accustomed to be done in a court-baron. And I do likewise grant unto the said Free Society of Traders, and their successors, that they, by themselves, or by their stewards, may for ever hold a court-leet, and view of frank-pledge, for all the inhabitants and residents in and upon the said Manor of Frank, and may do, perform, and execute all such matters and things as are belonging or incident unto, or are used and accustomed to be done in a court-baron, court-leet, and view of frank-pledge. And I do hereby grant that the said Free Society of Traders, and their successors, may have, receive, and enjoy all profits and perquisites of courts, and all other franchises, liberties, jurisdictions, royalties, privileges, and immunities whatsoever to the said

Powers and
privileges.

Hold two
courts
yearly.

No inter-
meddling of
other jus-
tices.
Court-baron.

Court-leet,
and view of
frank-
pledge.

1682. manor or courts, or to the said Free Society of Traders, or their successors, as lords of the said manor, belonging or in anywise of right appertaining.

“And whereas, by the said letters-patent, full power is granted unto the said William Penn, and his heirs, to appoint judges, lieutenants, justices, magistrates, and officers, for what cause soever, and with what power, and in such form as to me seems convenient, with liberty to import the growth and manufactory of that province into England, paying the legal duty, as also to erect ports, harbours, creeks, havens, keys, and other places for merchandises, with such jurisdictions and privileges as to me, William Penn, shall seem expedient.

May appoint
officers.

“Now further witness these presents, that I, William Penn, according to the power given by the said letters-patent, do, for me and my heirs, authorize and give power to the said Free Society of Traders, and their successors, for the better carrying on their trade, and for the common execution of justice in the said Manor of Frank, from time to time, and at all times hereafter, to appoint to place, and to remove whom they will, of themselves, for president, treasurer, secretary, sheriff, surveyor, agents, stewards, and all other under-officers and servants of the said Free Society of Traders, and their successors, and of the said corporation and Manor of Frank, as to them shall seem meet and most convenient, and that the said officers and servants of the said Free Society of Traders, or of their successors, and the tenants of the said Manor of Frank, and the inhabitants within the same, shall not be impleaded, without the said manor, for any plea arising within the said manor, and that none shall lodge within the houses or lands within the said manor, by force, and all the freemen of the said Free Society, and their goods, shall be quit and free throughout the province, and the ports thereof, of and from all toll, passage, lightage, and all other customs and payments whatsoever, excepting only such as shall be taxed by common consent of the provincial council and general assembly of the said province; and also that their courts may sit once in a week, that is to say, on the second day of the week, called Monday, and that right be done then according to law. And I do further grant them, according to that authority given me, acquittal of murder within the said manor; and that none of the said Free Society, or of their successors, or of the said manor, be compelled to wage

battle, and that they may discharge themselves of the pleas belonging to the province, according to what laws and customs shall be justly established in the said Free Society, and that all and singular the officers and servants of the said Free Society, and inhabitants and dwellers within the said manor, or any of them, shall be, and every of them is, and for all time to come, shall be and remain under the rule, government, jurisdiction, oversight, searches, correction, punishment, precepts, and arrest of the said Free Society, and their successors, and their respective under-officers for ever, any liberties, franchise, privileges, exemption, or authority whatsoever, granted by the said William Penn, to the contrary thereof notwithstanding. Provided nevertheless, that all persons who shall inhabit, in time to come within the liberties and franchises of the said manor, or any the precincts, circuits, or compass thereof, and all buildings therein built or to be built, and all lands, tenements, and hereditaments within the said manor, from henceforth shall be for ever quit and free from all taxes and other burdens of scot, lot, watch and ward, through and within the said manor, to be paid, made, sustained, or contributed, except the charges and expenses due and reasonable for the defence of the province, and such like special public services and taxes, by common consent of the provincial council and general assembly as aforesaid, and except the charges for ways, pavements, ditches, bridges, and water-courses, within the circuits, precincts, liberties, jurisdictions of the aforesaid manor, respectively to be paid. And that all freemen of the Free Society aforesaid, for the time being, inhabiting, or who shall inhabit within the liberties and franchise of the said manor, shall be chargeable and liable to serve in all offices and charges, as well of president, deputy-president, treasurer, secretary, agents, sheriff, steward, and whatsoever other office he or they shall be deemed meet for by the said Free Society.

“ And furthermore, for the better and common profit of the said Free Society, and for the accommodation and supportation of the charges and expenses of the said Free Society of Traders, and to their successors, I grant to the said Free Society of Traders, and to their successors, that from and henceforth and for ever, all and singular persons, though they be not free of the same Free Society, who shall hereafter be dwelling within the liberties or precincts of the said manor, in all aids,

1682.

1682.

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tallages, grants, and other contributions whatsoever, that shall be taxed to the use and service of the said Free Society, for the maintaining the magistracy, and other public charges, as in cities and towns are to be maintained by the freemen and inhabitants of the same, for the public good, howsoever shall be reasonably and proportionably taxed and assessed, and that the said Free Society of Traders, by their respective officers aforesaid, can levy the same aids, tallages, grants, and other contributions and lawful taxes, by their own officers and ministers, by distress and sale of goods and chattels of such persons, who from time to time shall be charged with payment of such aids, tallages, grants, and other taxes and contributions, who shall refuse or neglect to pay the same. Provided always, nevertheless, that such residents and dwellers in any houses within the aforesaid society, who are not, nor shall be freemen of the same, shall only be taxed for the house in which they shall inhabit or reside, or are dwelling within the same society's liberties, or precincts of the same, according to the known customs of rent payable, and as those who are free of the said Free Society, and are taxed, and not otherwise. And in case any such said inhabitants, not being freemen of the society, shall think himself, by reason of the aforesaid taxes, unjustly grieved, that then, and in such case, the provincial council, or such persons as they shall appoint, shall moderate and qualify such contributions as they shall think fit.

“ And furthermore, I do grant to the aforesaid Free Society of Traders, and their successors, that the president, deputy-president, treasurer, secretary, surveyor, and the agents of the said Free Society, and their stewards aforesaid, who hereafter, for time being, shall be chosen by the said Free Society, so long as they shall continue in their respective offices in the society aforesaid, for ever be, and shall be, justices and keeps of the peace, and make to be kept the peace in and through all and singular the circuits and precincts, liberties, franchises, and places of the manor and corporation aforesaid, and to keep, or cause to be kept and executed, all laws and statutes of the province, made for their good, and for the public peace and quiet rule and government of the people, in all their liberties and franchises, according to the force, form, and effect of the same, and to chastise and punish those who, contrary to the form and effect of those laws or statutes, or

any of them, within the limits, franchises, and places aforesaid, are found to offend, as ought to be done, according to the frame of the said laws and statutes, and to make to come before them all those who threaten any of the people concerning their bodies, or burning their houses, and for other lawful and sufficient causes, to find sufficient security of the peace, or good behaviour, and if they refuse to give security, then to commit or cause them to be safely kept in prison until they shall find such security.

“And I do further grant unto the said Free Society of Traders, for myself, and my heirs and successors, to them and their successors, that the justices aforesaid, or any three of them, whereof the said president or deputy-president and the treasurer shall be two, from henceforth and for ever, may be justices, to inquire of all manner of felonies, trespasses, forestallers, and of all and singular other misdeeds and offences, of which the provincial justices of the peace may and ought lawfully to inquire, howsoever or wheresoever done or committed, or which hereafter shall be done or attempted within the liberties, franchises, and places of the manor aforesaid, and also of all others who, within the same franchises, liberties, and places, go or ride tumultuously and riotously, or with armed force, against the peace, and to the terror [and] disturbance of the people; and also of those who lie in wait to kill the people, or hereafter shall presume to lay in wait; and also of all and singular other persons who have offended, or attempted, or hereafter shall presume to offend, or attempt, in abuse of weights and measures, within the said manor, against the form of the laws and statutes, or any of them, made or to be made for the common profit of the province and people; and also to hear and determine all and singular the same felonies and misdeeds, according to the laws and statutes of the province; so always that the said Free Society of Traders, and their successors, may have and hold all and singular their privileges, free, whole, and unhurt, and that neither a keeper of the peace, or justice, or other officers or ministers of the province whatsoever, shall intermeddle in the same manor, nor call the freemen of the said Free Society, or other persons inhabiting within the said manor, to an account for any of the felonies and other offences aforesaid found therein, or to be found, or for deodands, nor for any thing relating to felonies, fugitives, or their lands,

1682. goods, or chattels, within the said manor, usually seized for the king, but the said Free Society, and their successors, shall enjoy them fully, and convert them to their own proper use.

“And I do further grant that the president (for the time being) of the said Free Society, (and in the absence of the president,) the deputy president for the time being, shall be a justice and keep of the peace of the province, in the liberties of the same, to be conserved and kept, and I do constitute, make, and ordain, by these presents, that every one who is, or hereafter shall be president of the said Free Society, so long as he shall behave himself well, shall be, together with the justices and keeps of the peace hereinbefore mentioned, keepers and justices of the peace within the corporation aforesaid, and the liberties of the same, to keep, or cause to be kept, all and singular the laws and statutes made and to be made for the good and peace of the province, and for the conservation of the same, for the quiet rule and government of the people, in all their liberties and franchises, within the said corporation, according to the form, force, and effect of these presents, and to correct and punish all those whom they shall find offending against the ordinances of the said Free Society, as also all murders, false conspirators, and all and singular other offenders, according to the laws and statutes of the said province, as used and ought to be done in such like cases; and to chastise and punish the said offenders for their faults, by fines, redemptions, amercements, forfeitures, and otherwise, as used and ought to be, according to the laws and statutes of the province, and to do, exercise, hear, determine, and execute all and singular things within the said corporation and liberties thereof, which justices of the peace, by the laws and statutes of the province, may or are enabled to do, inquire, or execute, and in as ample manner and form as any one or other justices of the peace in the province may or are enabled lawfully to do, inquire, punish, or execute, in any other precincts of the said province, giving it strictly in command, by these presents, for me, my heirs and successors, to the freemen, officers, and all inhabitants within the said corporation, that they shall be attending, counselling, answering, assisting, and aiding, to the justices and keepers of the peace, and other such officers as are aforesaid, in all things which do or may belong to the office of justices and keeps of the peace within the said corporation and liberties of the same, as afore-

said, as often and when they shall be duly required by them, or any of them, in behalf of me, my heirs and successors. 1682.

“And I do further grant, and by these presents, have granted, for me and my heirs, unto the said Free Society, and their successors, all recognisances at any time lawfully taken or acknowledged, or to be taken or acknowledged for appearance, and forfeited, or to be forfeited for non-appearance, at any session or sessions of the peace, or jail delivery, holden or to be holden before the justices aforesaid; and all manner of other recognisances lawfully taken, or to be taken for and concerning the keeping of the peace, and for keeping the ordinances, orders, and rules of the said Free Society whatsoever, according to law; and also all fines and issues of jurors, and all other issues, fines, and amercements, forfeited at all times, for any matter or causes, and occasions whatsoever, in the said manor, or liberties of the same.

“And I do, for myself and my heirs, grant unto the said Free Society of Traders, and their successors, to choose three officers of the said Free Society, to be of the said provincial council of the province, and when, by any article in the intended frame of government, any one of the said officers shall go out, then the said Free Society of Traders, and their successors, shall choose another, and so successively for ever.

“And I do, for myself, and my heirs and assigns, grant unto the said Free Society of Traders, and their successors, all manner of mines and metals, as well royal mines of gold and silver, as other mines, which shall be found in the said twenty thousand acres, or in any part of them, excepting only the fifth part reserved by the king of England to himself, his heirs and successors; and excepting also one other fifth part of all the ore which shall be found in any mines of gold and silver, to me, the said William Penn, my heirs and assigns.

“And I do, for myself, and my heirs and assigns, grant unto the said Free Society of Traders, free fishing of whales, sturgeon, and all royal and other fishes in the main sea and bays of the said province, and in the inlets, waters, and rivers within or adjoining to the said twenty thousand acres, or any part thereof, the said Free Society of Traders, and their successors, yielding and paying unto me, William Penn, my heirs and assigns, the sum of one shilling yearly, upon the day of the vernal equinox, or within one and twenty days

1682. after, at my dwelling-house in the capital city of Pennsylvania.

“And lastly, I do also grant, for me and my heirs, to the said Free Society, and their successors, for ever, all and every one of the things aforesaid; and further, that no manner of person whatsoever shall inspect their books, warehouses, or houses, without their own consent, but shall in all respects be free to trade, build, and plant, and to appoint fairs and markets, at such convenient times as they shall think fit, within the corporation and manor aforesaid, together with all other reasonable liberties, franchises, and immunities whatsoever, which have at any time heretofore been granted to the city of London.

“In witness whereof, I have put my name and seal, this four and twentieth day of the first month, called March, in the four and thirtieth year of the said now king’s reign, and in the year of our Lord, according to the computation of England, one thousand six hundred and eighty-one-two.

“WILLIAM PENN.” [L. S.]¹

April 4.
Address and
constitution
of the Free
Society of
Traders.

On the day following the date of the charter, “the articles, settlement, and officers of the Free Society of Traders, in Pennsylvania, agreed upon by divers merchants and others, for the better improvement and government of trade in that province,” was published in a folio pamphlet, in London. It opens with an address setting forth the advantages of the society, and is accompanied by a constitution, to which subscriptions are invited. The operations were intended to be upon a very extensive scale. They are as follows:

The preface.

“*The Preface.*—Reader: honest and industrious traffic has been the usage and the praise of many nations; and in this all countries seem agreed, that their wealth and strength are begun, continued, and increased by it, a truth common experience daily confirms; for this hath made, and is making many princes and states in the world endeavour to have their subjects prosper in trade. The very Indian princes are now convinced of this truth, which makes the King of Bantam send his ambassador here. This is likewise the reason why many considerate men have thought fit to join themselves in a society of trade in Pennsylvania, which, after some diffi-

¹ Records of Bucks County; for a copy of which the author is indebted to W. Carr, Esq. It is believed that it has never been in print.

1682.

culty, they have accomplished. But this may be modestly said, it is a very unusual society, for it is an absolute free one, and in a free country; a society without oppression, wherein all may be concerned that will, and yet have the same liberty of private traffic as though there were no society at all; so that this society is calculated both to promote the public good, and to encourage the private; and indeed, it seems not possible that province should be improved in many years without it, as it is like to be in a few years by it. However, it is such a society as can do harm to none, but may do good to all, which a serious perusal of the government of it will plainly evince to the considerate and ingenious. We may add, that it is no small conveniency and ease to the minds of planters, (happily unacquainted in trade,) that they may have some part of their estates improving in an united way and care, whilst they thereby may, with less distraction, and more freedom of spirit, apply themselves to their particular plantations; for here a few hands do the work of the whole, and by this honest and free device, the whole will be furnished fresh and fresh, from time to time, in the nature of a bank. This union of traffic prevents emulation, for every one is interested in every one's prosperity, and the profit must be greater and surer, and navigation, manufacture, and arts better improved, than by force of private and divided stocks. To conclude, it is an enduring estate, and a lasting as well as certain credit; a portion and inheritance that is clear and growing, free from the mischief of frauds and false securities, supported by the concurrent strength and care of a great and prudent body, a kind of perpetual trustees, the friend of the widow and the orphan, for it takes no advantage of minority or simplicity.

“These and many more great advantages accrue to a society so freely constituted as this appears to be, by the ensuing articles of agreement, which are imposed on none, but recommended to all, with this assurance, that nothing is hereby intended but what is consistent with justice and prudence, to the best of their skill that were concerned in the framing of it; and it is hoped that the improvements which may accrue by it, will prove to be of no small advantage to that country, and Old England, from whom it takes its original.

“To which, reader, it may not be improper to add, that this society is endowed with divers immunities and privileges,

1682. by grant and charter, from William Penn, governor of that province.

“NICHOLAS MOORE,
“JAMES CLAYPOOLE,
“PHILIP FORD.

“London, 25th of first month, called March, 1682.”¹

Abstract of
the constitution.

The first general court to be held in London, May 29, and ever after on first Thursday of November, in the capital city in Pennsylvania. Votes may be by proxy.

No one in England to have more than one vote, unless he have a share of land in Pennsylvania, at least 1000 acres of his own, with some inhabitants on it, in which case, inhabitants of Pennsylvania shall, for two £25's, or one £50, have one vote; £100, two votes; £300, three votes, and none more.

Subscription books in England to open 29th June, and no longer; in Pennsylvania, from arrival of first ship of the society for six months, paying 15 per cent. sterling for *risco* run by the society, for such as subscribe in thirty days, and 1 per cent. for every month after, to be added to the value of the cargo.

No subscription for less than £25, in one man's name, though five may join in it.

At the meeting in England, in May, subscribers shall confirm their subscriptions by paying 5 per cent. as part of the sum to be paid in one month.

President, deputy, treasurer, secretary, and 12 committee-men to be then chosen; any five, with president or deputy, to be a quorum.

Committee-men to have but one vote each; president or deputy a casting vote.

At end of seven years from closing in Pennsylvania, new subscribers received; and so every seven years. Valuation of stock to be made, and subscribers to be on valuation.

Two hundred servants to be sent to Pennsylvania first year, of most suitable trades and capacities.

Additions may be made to subscriptions before the month is out.

The president, deputy, and treasurer, must own 5000 acres in Pennsylvania, and £100 of society stock.

General officers to continue seven years, and live in society's house, but may be dismissed for crime proved against them

¹ Reg. Penns. vol. i. pp. 394—396.

in court of assistants, who may elect in his place till next court; this court chosen yearly, who shall advise with president in emergency, as to receiving more money, dividends, filling places, settling new factories, mines, building ships, &c. 1682.

The committee to choose inferior officers at home and abroad, and generally to direct. Abstract of the constitution, continued.

All forfeitures to be employed in improving land for the maintenance of families of persons disabled in the service.

The books, papers, &c. to be kept in society's house, under three locks and keys, in charge of president or deputy, treasurer, and oldest committee-man. The books, &c. not to be intrusted to any person longer than to transcribe any part in day-time, and in the house, before some person appointed by committee; the book-keeper only to have a copy, which any member may examine once a month.

Treasurer to give security, as also all agents, store-keepers, ship-masters, &c. Servants bound to secrecy, or forfeit security.

Black servants to be free at fourteen years' end, on giving to the society two-thirds of what they can produce on land allotted them by the society, with a stock and tools; if they agree not to this, to be servants till they do.

No mineral undertaking to be begun but with approval of assembly. At each yearly meeting, a general statement of affairs.

Two or more general factories in Pennsylvania; one on Chesapeake Bay, and one on Delaware or elsewhere, for more speedy conveyance of goods into the country and Maryland, but the government of the whole to be in Pennsylvania.

Society to assist Indians settling in towns, with advice and artificers.

Twenty-four assistants to be added to committee; twenty and the president a quorum.

The first assembly in Pennsylvania to be desired to ratify the patents from the governor by an act.

Notices of meetings to be regularly served at the dwellings.

Those who do not pay the instalments after second call, cannot dispose of their stock, but society may dispose of it to those who will, unless prevented by calamity or poverty, in which case they may sell.

A chief agent to reside in England, to whom letters and goods shall be directed; he to have a council of six factors,

1682.

all to reside in London, to advise about sales and purchases; he to give every factor his commission how to proceed, and the agent to be directed by the committee in Pennsylvania.

All the officers to bring to the society's warehouse all peltries they buy of the Indians with their own goods, which shall be entered and sent over with the society's goods, and shall have what return they will for the same, allowing freight, factorage, &c.; this for the special benefit of the owners, as well as the society.

Various other officers; surveyor, surgeon, clerks, overseers, messengers, porters, butchers, watermen, carmen, &c., distributed among the offices of the treasurer, secretary, surveyor, and miner, whose duties are particularly defined.

Philip Ford, in London, is authorized to receive subscriptions.¹

April 11.

Further progress of the Pennsylvania company.

"Our book of articles for the Pennsylvania Company or Society is printed; I did intend to send one, but Thomas Holme told me he intends two to Dublin. I hope we shall get subscriptions, so as to encourage the settling of a company for trade there. Here are many who have signified their good liking to it, and will be concerned, and we have advice from friends of three divers counties in England, that will join with us. Our book will be ready for subscribers to begin next week. I do intend to be concerned 100 at least."

Time and terms of subscription. Wm. Penn expected in town.

On the 14th, he sends articles of the company. "Vote and subscriptions to be confirmed against 29th proximo, by depositing 5 per cent., and the three general officers, treasurer, and committee, as per 5th article; some privately talked of. William Penn is expected in town by next post."

"For land which William Penn sells in Pennsylvania, he gives every one their deeds, when they pay their money, (which was made hard,) by Thomas Rudyard, all of one form."²

April 21.

Early Friends' meeting at Shackamaxon.

"It was mutually agreed, (at a Friends' meeting in Abingdon,) that a meeting be at William Cooper's at Pyne Point, New Jersey, the second First-day of third month next, and the next meeting be at Thomas Fairman's, at Shackamaxon, and so in course."³

April 25.

"As to my sending servants this year to Pennsylvania, I can come to no results in my mind till two or three months

¹ See Reg. Penns. vol. i. p. 394, for the entire constitution. ² Claypoole.

³ Minutes of Friends' Meeting at Abingdon, quoted by Watson, vol. i. p. 140.

are over, that we see what subscriptions there will be for the company, and who will be chosen officers. My son John is to embark next week for Pennsylvania, with Thomas Holme, to assist him in surveying the country." On the 28th, he says, "I am much inclined to go with my family to settle, but I think it will hardly be till 1683."¹

1682.

T. Holme
going to
Pennsylva-
nia.

April 28.

Captain Thomas Holme receives a commission from William Penn, dated April 18th, as surveyor-general of Pennsylvania.² It is as follows:

"To all whom this may come, and more especially, to all such as are, or may be concerned as adventurers, purchasers, planters, and inhabitants, in the province of Pennsylvania, in America.

Commission
of Thomas
Holme, as
surveyor-
general of
Pennsylva-
nia.

"Whereas, King Charles the Second, by his letters-patent under the great seal of England, for the considerations therein mentioned, hath given, granted, and confirmed unto me, William Penn, (by the name of William Penn, esquire, son and heir of Sir William Penn, deceased,) the absolute proprietary of the said province of Pennsylvania, with ample jurisdictions and powers necessary for the well-being, ordering, and government thereof, as by the said letters-patent do appear.

"Now know ye, that I, the said William Penn, reposing special confidence in the integrity and ability of my loving friend, Captain Thomas Holme, of the city of Waterford, in the kingdom of Ireland, do by these presents elect, empower, and establish him, the said Thomas Holme, in the office, trust, and employment of surveyor-general of the said province of Pennsylvania, for and during his natural life, he behaving himself honestly and faithfully in the said office, trust, and employment, hereby giving and granting unto the said Thomas Holme, full power and authority to enter into, survey, and admeasure, or cause to be entered into, surveyed, and admeasured, (with all reasonable expedition,) all the said province of Pennsylvania, and all and every parts, islands, and territories thereof, which, by the said letters-patent, do or may of right belong and appertain unto me, my heirs and assigns. And to the end I, the said William Penn, as absolute proprietary of the said province, by letters-patent afore-said, may have and obtain a true and certain knowledge of the exact quantities of every distinct and individual part and

¹ Claypoole.² Harrisburg Records.

1682.

T. Holme's
commission,
continued.

parcel of land in the said province, that already is, or hereafter may be granted and disposed of by me, my heirs and assigns, unto any person or persons whatsoever, and to whom, and for what use or purpose soever, the said Thomas Holme, as surveyor-general, is hereby empowered, from time to time, to cause all persons employed in the survey and admeasurement of any part or parcel of land in the said province, to return a true duplicate of all their original fieldworks, and the protractions and quantities of their operations, unto his said office, there to be examined and tried; and what there shall be approved of, the same, and no other, to be fairly entered in the said office, and there to remain upon record as a standing rule, conclusive and binding to me, my heirs and assigns, as absolute proprietary, and also to all the adventurers, purchasers, planters, and inhabitants concerned in the said province, in relation to the respective quantities, meets, and bounds of their lands, lots, and holdings. And if any person or persons whatsoever, that now are, or hereafter may be concerned in the said province, shall there survey and admeasure, or cause to be surveyed and admeasured, any part or parcel of land, in order to be taken up and planted, without orders and directions from the said Thomas Holme, that all such surveys and admeasurements shall, by me, my heirs and assigns, be held and deemed invalid, and no ways hinder the due disposal thereof. And the said Thomas Holme is to observe such orders and directions about the method of proceeding in the survey and admeasurement of the lands in the said province, and also of the allotments and distribution thereof, as he shall, from time to time, receive from me, my heirs or assigns, and according to such concessions as are or may be agreed upon between me and the persons concerned in the said province; and to keep his public office of surveyor-general in the capital city or town in the said province, that so if any difference happen about the quantities, meets, or bounds of lands, the same may be there regulated and composed. And I hereby grant to the said Thomas Holme, to take, receive, and to his own use enjoy, all and every such profits and benefits, for the surveys and admeasurements of the said province, or any part thereof, and keeping his office of surveyor-general there, as are allowable in the like cases in America.

“Given under my hand and seal of the province of Penn-

sylvania, this eighteenth day of the second month, one thousand six hundred and eighty-two. WILLIAM PENN. 1682.

“Recorded the 27th of the third month, 1684, in book A., vol. i. p. 7.”

“My oldest son is going away this week in the ‘Amity,’ R. Dimond, for Pennsylvania, to be assistant to William Penn’s surveyor. I have bought 5000 acres, and may probably be concerned in the company or society, of which I send their book enclosed. I hope I may remove next year with my whole family thither. We have a prospect of a considerable trade between Barbadoes and Pennsylvania. We calculate there will go thither from hence above one thousand Friends this year; then William Penn and his family goes; Thomas Rudyard, Charles Taylor and his family, and many others; then two ships from Bristol and five from Wales; so that if the Lord bless us, and prosper our way, the country will be planted in a little time.”¹

“I have been at Gravesend with my son John, who is gone per the ‘Amity,’ Dimond, master, for Pennsylvania, to be assisting to the general surveyor, whose name is Thomas Holme, a very honest, ingenious, worthy man. Have fitted John out with all things necessary, and his employment is very creditable, and if he be diligent and sober, may come in a few years’ time to be very profitable; however, it will be a present maintenance, and keep him from ill company. I have bought 5000 acres from William Penn, and we are endeavouring to settle a society for trade, according to enclosed book of articles; there has been subscribed £10,000, but we laid that aside, not having agreed on all particulars, and now the next week we shall begin to subscribe according to this book. Divers persons have desired, that if the stock be considerable, so that we shall succeed, that I might be one of the principal officers, as deputy, for there are two chosen for president and treasurer, which are inclined to accept of, if they choose me; however, I have a great drawing on my mind to remove with my family thither, so that I am given up, if the Lord clears our way, to be gone next spring; it may be about a year hence. Advise me, in thy next, what I might have two negroes for, that might be fit for cutting down trees, building, ploughing, or any sort of labour that is required in the first planting of a country. I hope to carry

April 29.

Claypoole
buys land;
son going
over.

Prospect of
trade;
large
emigration.

April 30.

The ship
Amity sails
for Pennsylv-
ania, with
T. Holme,
surveyor-
general.

Has bought
5000 acres.

Pennsylv-
ania society;
former sub-
scription laid
aside, and
new one
proposed.

Intends go-
ing to Penn-
sylvania.
Wants ne-
groes.

¹ Claypoole.
3 A 2

1682. { ten or twelve servants from hence, and many people that love us well are inclined to go when we go. William Penn himself, and family, go this summer, and probably about one thousand people.”

His brother
settled in
New Deal,
Delaware.

“I have a letter from brother Norton, date 16th of tenth month, from New Deal, in Delaware Bay, where he is settled on a plantation. He writes, his wife and child were come, and he was going to fetch them home.”

Amity
leaves the
Downs.

In a subsequent letter, (April 29,) he says, “Our ship for Pennsylvania went out of the Downs, the 23d.”¹

We have, in this letter, a positive proof that the fact stated of the Amity being blown off to the West Indies, last winter, is incorrect; that she did not arrive till spring or summer, is more true.

May 5.

The next important measure of Penn, was the publication of his frame of government, or first constitution of Pennsylvania, introduced by a preface of considerable length, giving his views of the origin and nature of government, which have been highly extolled.

“The frame of the government of the province of Pennsylvania, in America, together with certain laws agreed upon in England, by the governor and divers freemen of the aforesaid province, to be further explained, and continued there, by the first provincial council that shall be held, if they see meet.

Penn's
views of go-
vernment.

“*The Preface.*—When the great and wise God had made the world, of all his creatures it pleased Him to choose man his deputy to rule it; and to fit him for so great a charge and trust, He did not only qualify him with skill and power, but with integrity to use them justly. This native goodness was equally his honour and his happiness, and whilst he stood here, all went well; there was no need of coercive or compulsive means; the precept of divine love and truth in his bosom was the guide and keeper of his innocency. But lust prevailing against duty, made a lamentable breach upon it, and the law, that had before no power over him, took place upon him and his disobedient posterity, that such as would not live conformably to the holy law written, should fall under the reproof of and correction of the just law without, in a judicial administration.

“This the apostle teaches in divers of his epistles: the law, says he, was added because of transgression: in another

¹ Claypoole.

1682.

place, knowing that the law was not made for the righteous man, but for the disobedient and ungodly, for sinners, for unholy and profane, for murderers, for whoremongers, for them that defile themselves with mankind, and for men-stealers, for liars, for perjured persons, &c. But this is not all: he opens and carries the matter of government a little further: let every soul be subject to the higher powers, for there is no power but of God; the powers that be are ordained of God; whosoever, therefore, resisteth the power, resisteth the ordinance of God, for rulers are not a terror to good works, but to evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same. He is the minister of God to thee for good; wherefore ye must needs be subject, not only for wrath, but for conscience' sake.

“This settles the divine right of government beyond exception, and that for two ends; first, to terrify evil-doers; secondly, to cherish those that do well; which gives government a life beyond corruption, and makes it as durable in the world as good men shall be. So that government seems to me a part of religion itself, a thing sacred in its institution and end; for if it does not directly remove the cause, it crushes the effect of evil, and is as such, (though a lower yet,) an emanation of the same divine Power, that is both author and object of pure religion, the difference lying here, that the one is more free and mental, the other more corporal and compulsive in its operations, but that is only to evil-doers, government itself being otherwise as capable of kindness, goodness, and charity, as a more private society. They weakly err, that think there is no other use of government than correction, which is the coarsest part of it; daily experience tells us, that the care and regulation of many other affairs, more soft and daily necessary, make up much the greatest part of government, and which must have followed the peopling of the world, had Adam never fell, and will continue among men on earth, under the highest attainments they may arrive at, by the coming of the blessed second Adam, the Lord from heaven. Thus much of government in general, as to its rise and end.

“For particular frames and modes, it will become me to say little, and comparatively I will say nothing. My reasons are, first, that the age is too nice and difficult for it, there

1682. { being nothing the wits of men are more busy and divided upon. It is true, they seem to agree in the end, to wit, happiness, but in the means they differ, as to divine, so to this human felicity, and the cause is much the same, not always want of light and knowledge, but want of using them rightly. Men side with their passions against their reason, and their sinister interests have so strong a bias upon their minds, that they lean to them against the good of the things they know.

“Secondly, I do not find a model in the world, that time, place, and some singular emergencies have not necessarily altered, nor is it easy to frame a civil government that shall serve all places alike.

“Thirdly, I know what is said by the several admirers of monarchy, aristocracy, and democracy, which are the rule of one, a few, and many, and are the three common ideas of government, when men discourse on that subject. But I choose to solve the controversy with this small distinction, and it belongs to all three, any government is free to the people under it, (whatever be the frame,) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion.

“But lastly, when all is said, there is hardly one frame of government in the world so ill-designed by its first founders, that in good hands would not do well enough; and story tells us, the least in ill ones can do nothing that is great or good; witness the Jewish and Roman states governments, like clocks, go from the motion men give them, and as governments are made and moved by men, so by them they are ruined too. Whether governments rather depend upon men than men upon governments; let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let the government be ever so good, they will endeavour to warp and spoil it to their turn.

“I know some say, let us have good laws, and no matter for the men that execute them; but let them consider, that though good laws do well, good men do better; for good laws may want good men, and be abolished or evaded by ill men; but good men will never want good laws, nor suffer ill ones. It is true, good laws have some awe upon ill ministers, but that is where they have no power to escape or abolish them, and the people are generally wise and good, but a loose and degraded people (which is to the question) love laws and an

administration like themselves. That, therefore, which makes a good constitution, must keep it, viz. men of wisdom and virtue, qualities that, because they descend not with worldly inheritances, must be carefully propagated by a virtuous education of youth, for which after-ages will owe more to the care and prudence of founders and the successive magistracy, than to their parents for their private patrimonies. 1682.

“These considerations of the weight of government, and the nice and various opinions about it, made it uneasy to me to think of publishing the ensuing frame and conditional laws, foreseeing both the censures they will meet with from men of differing humours and engagements, and the occasions they may give of discourse beyond my design.

“But next to the power of necessity, (which is a solicitor that will take no denial,) this induced me to a compliance, that we have (with reverence to God and good conscience to men) to the best of our skill, contrived and composed the frame and laws of this government, to the great end of all government, viz. to support power in reverence with the people, and to secure the people from the abuse of power, that they may be free by their just obedience, and the magistrates honourable for their just administration; for liberty without obedience is confusion, and obedience without liberty is slavery. To carry this evenness is partly owing to the constitution, and partly to the magistracy; where either of these fail, government will be subject to convulsions, but where both are wanting, it must be totally subverted; then where both meet, the government is like to endure, which I humbly pray and hope God will please to make the lot of this of Pennsylvania. Amen.

WILLIAM PENN.

“*The Frame, &c.*—To all people to whom these presents shall come: Whereas, King Charles the Second, by his letters-patent under the great seal of England, for the consideration therein mentioned, hath been graciously pleased to give and grant unto me, William Penn, (by the name of William Penn, esquire, son and heir of Sir William Penn, deceased,) and to my heirs and assigns for ever, all that tract of land or province called Pennsylvania, in America, with divers great powers, pre-eminences, royalties, jurisdictions, and authorities, necessary for the well-being and government thereof: Now know ye, that for the well-being and government of the said province, and for the encouragement of all the freemen and

Preamble.

1682. } planters that may be therein concerned, in pursuance of the powers aforementioned, I, the said William Penn, have declared, granted, and confirmed, and by these presents, for me, my heirs and assigns, do declare, grant, and confirm, unto all the freemen, planters, and adventurers, of, in, and to the said province, these liberties, franchises, and properties, to be held, enjoyed, and kept by the freemen, planters, and inhabitants of the said province of Pennsylvania, for ever.

Government
how com-
posed.

“I. That the government of this province shall, according to the powers of the patent, consist of the governor and freemen of the said province, in form of a provincial council and general assembly, by whom all laws shall be made, officers chosen, and public affairs transacted, as is hereafter respectively declared. That is to say :

Time of elec-
tion and
number in
the provin-
cial council.

“II. That the freemen of the said province shall, on the 20th day of the twelfth month, which shall be in this present year one thousand six hundred eighty and two, meet and assemble in some fit place, of which timely notice shall be beforehand given by the governor or his deputy, and then and there shall choose out of themselves seventy-two persons, of most note for their wisdom, virtue, and ability, who shall meet on the 10th day of the first month, next ensuing, and always be called and act as the provincial council of the said province.

Terms of
continuance
in office.

“III. That at the first choice of such provincial council, one-third part of the said provincial council shall be chosen to serve for three years then next ensuing, one-third part for two years then next ensuing, and one-third part for one year then next following such election, and no longer ; and that the said third part shall go out accordingly ; and on the 20th day of the twelfth month, as aforesaid, yearly for ever afterwards, the freemen of the said province shall in like manner meet and assemble together, and then choose twenty-four persons, being one-third of the said number, to serve in provincial council for three years ; it being intended that one-third part of the whole provincial council, always consisting, and to consist of seventy-two persons as aforesaid, falling off yearly, it shall be yearly supplied by such new yearly elections as aforesaid, and that no one person shall continue therein longer than three years ; and in case any member shall decease before the last election during his time, that then at the next election ensuing his decease, another shall

be chosen to supply his place for the remaining time he was to have served, and no longer. 1682.

“IV. That after the first seven years, every one of the said third parts that goeth yearly off, shall be incapable of being chosen again for one whole year following, that so all may be fitted for government, and have experience of the care and burden of it. Alternation in office.

“V. That the provincial council, in all cases and matters of moment, as their arguing upon bills to be passed into laws, erecting courts of justice, giving judgment upon criminals impeached, and choice of officers, in such manner as is hereinafter mentioned, not less than two-thirds of the whole provincial council shall make a quorum, and that the consent and approbation of two-thirds of such quorum shall be had in all such cases and matters of moment. And moreover, that in all cases and matters of lesser moment, twenty-four members of the said provincial council shall make a quorum, the majority of which twenty-four shall and may always determine in such cases of lesser moment. Quorum.

“VI. That in this provincial council, the governor, or his deputy, shall or may always preside, and have a treble voice; and the said provincial council shall always continue, and sit upon its own adjournments and committees. Governor to preside.

“VII. That the governor and provincial councils shall prepare and propose to the general assembly hereafter mentioned, all bills which they shall at any time think fit to be passed into laws within the said province; which bills shall be published and affixed to the most noted places in the inhabited parts thereof, thirty days before the meeting of the general assembly, in order to the passing them into laws, or rejecting of them, as the general assembly shall see meet. Councils to prepare bills for assembly.

“VIII. That the governor and provincial council shall take care that all laws, statutes, and ordinances, which shall at any time be made within the said province, be duly and diligently executed. Laws to be executed.

“IX. That the governor and provincial council shall at all times have the care of the peace and safety of the province, and that nothing be by any person attempted to the subversion of this frame of government. Guardians of the government.

“X. That the governor and provincial council shall at all times settle and order the situation of all cities, ports, and market-towns, in every county, modelling therein all public Situation of towns, &c. how appointed.

1682. buildings, streets, market-places, and shall appoint all necessary roads and highways in the province.

Inspection of
the trea-
sury.

“XI. That the governor and provincial council shall at all times have power to inspect the management of the public treasury, and punish those who shall convert any part thereof to any other use than that which hath been agreed upon by the governor, provincial council, and general assembly.

Public
schools.

“XII. That the governor and provincial council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions, in the said province.

Council di-
vided into
four com-
mittees.

“XIII. That for the better management of the powers and trust aforesaid, the provincial council shall from time to time divide itself into four distinct and proper committees, for the more easy administration of the affairs of the province, which divides the seventy-two into four eighteens, every one of which eighteens shall consist of six out of each of the three orders or yearly elections, each of which shall have a distinct portion of business, as followeth: First, a committee of plantations, to situate and settle cities, ports, and market-towns, and highways, and to hear and decide all suits and controversies relating to plantations. Secondly, a committee of justice and safety, to secure the peace of the province, and punish the maladministration of those who subvert justice, to the prejudice of the public or private interest. Thirdly, a committee of trade and treasury, who shall regulate all trade and commerce according to law, encourage manufacture and country growth, and defray the public charge of the province; and fourthly, a committee of manners, education, and arts, that all wicked and scandalous living may be prevented, and that youth may be successively trained up in virtue and useful knowledge and arts: the quorum of each of which committees being six, that is, two out of each of the three orders or yearly elections, as aforesaid, make a constant and standing council of twenty-four, which will have the power of the provincial council, being the quorum of it, in all cases not excepted in the fifth article; and in the said committees and standing council of the province, the governor or his deputy shall or may preside as aforesaid, and in the absence of the governor or his deputy, if no one is by either of them appointed, the said committees

or councils shall appoint a president for that time, and not otherwise; and what shall be resolved at such committees shall be reported to the said council of the province, and shall be by them resolved and confirmed, before the same shall be put in execution; and that these respective committees shall not sit at one and the same time, except in cases of necessity.

“XIV. And to the end that all laws prepared by the governor and provincial council aforesaid, may yet have the more full concurrence of the freemen of the province, it is declared, granted, and confirmed, that at the time and place or places for the choice of a provincial council as aforesaid, the said freemen shall yearly choose members to serve in a general assembly as their representatives, not exceeding two hundred persons, who shall yearly meet, from the 20th day of the second month, which shall be in the year one thousand six hundred eighty and three following, in the capital town or city of the said province, where during eight days the several members may freely confer with one another, and if any of them see meet, with a committee of the provincial council, (consisting of three out of each of the committees aforesaid, being twelve in all,) which shall be at the time purposely appointed to receive from any of them proposals for the alterations or amendments of any of the said proposed and promulgated bills; and on the ninth day from their so meeting, the said general assembly, after reading over the proposed bills by the clerk of the provincial council, and the occasion and motives for them being opened by the governor or his deputy, shall give their affirmative or negative, which to them seemeth best, in such manner as hereinafter is expressed. But not less than two-thirds shall make a quorum in the passing of laws, and choice of such officers as are by them to be chosen.

“XV. That the laws so prepared and proposed as aforesaid, that are assented to by the general assembly, shall be enrolled as laws of the province, with this style, ‘By the governor, with the assent and approbation of the freemen in provincial council and general assembly.’

“XVI. That for the better establishment of the government and laws of this province, and to the end there may be an universal satisfaction in the laying of the fundamentals thereof, the general assembly shall or may, for the first year, consist of all the freemen of and in the said province, and

1682.

Assembly
how and
when
chosen.

Number of
members.

Sanction of
laws.

Laws to be
enrolled.

Title.

Number of
assembly
may be in-
creased.

1682. ever after it shall be yearly chosen as aforesaid; which number of two hundred shall be enlarged as the country shall increase in people, so as it do not exceed five hundred at any time, the appointment and proportioning of which, as also the laying and methodizing of the choice of the provincial council and general assembly, in future time, most equally to the divisions of the hundreds and counties, which the country shall hereafter be divided into, shall be in the power of the provincial council to propose, and the general assembly to resolve.

Courts how
established.

Judges and
other officers,
how chosen.

“XVII. That the governor and the provincial council shall erect, from time to time, standing courts of justice, in such places and number as they shall judge convenient for the good government of the said province, and that the provincial councils shall, on the 13th day of the first month, yearly, elect and present to the governor or his deputy, a double number of persons, to serve for judges, treasurers, masters of rolls, within the said province, for the year next ensuing; and the freemen of the said province, in the county courts, when they shall be erected, and till then in the general assembly, shall, on the three and twentieth day of the second month, yearly, elect and present to the governor or his deputy, a double number of persons to serve for sheriffs, justices of the peace, and coroners, for the year next ensuing, out of which respective elections and presentments, the governor or his deputy shall nominate the proper number for each office, the third day after the said presentments, or else the first named in such presentment for each office shall stand and serve for that office the year ensuing.

Penn com-
missions the
first officers.

“XVIII. But forasmuch as the present condition of the province requires some immediate settlement, and admits not of so quick a revolution of officers, and to the end the said province may, with all convenient speed, be well ordered and settled, I, William Penn, do therefore think fit to nominate and appoint such persons for judges, treasurers, masters of the rolls, sheriffs, justices of the peace, and coroners, as are most fitly qualified for those employments, to whom I shall make and grant commissions for the said officers, respectively, to hold to them to whom the same shall be granted, for so long time as every such person shall well behave himself in the office or place to him respectively granted, and no longer. And upon the decease or displacing of any of the said

officers, the succeeding officer or officers shall be chosen as aforesaid. 1682.

“XIX. That the general assembly shall continue so long as may be needful to impeach criminals fit to be there impeached, to pass bills into laws that they shall think fit to pass into laws, and till such time as the governor and provincial council shall declare that they have nothing further to propose unto them for their assent and approbation, and that declaration shall be a dismissal to the general assembly for that time; which general assembly shall be, notwithstanding, capable of assembling together upon the summons of the provincial council, at any time during that year, if the said provincial council shall see occasion for their so assembling.

Duties of assembly.

“XX. That all the elections of members or representatives of the people, to serve in provincial council and general assembly, and all questions to be determined by both or either of them, that relate to passing of bills into laws, to the choice of officers, to impeachments made by the general assembly, and judgment of criminals upon such impeachments by the provincial council, and to all other cases by them respectively judged of importance, shall be resolved and determined by the ballot; and unless on sudden and indispensable occasions, no business, in provincial council, or its respective committees, shall be finally determined the same day that it is moved.

Election to be by ballot.

“XXI. That at all times when, and so often as it shall happen that the governor shall or may be an infant under the age of one and twenty years, and no guardians or commissioners are appointed in writing by the father of the said infant, or that such guardians or commissioners shall be deceased, that during such minority, the provincial council shall from time to time, as they shall see meet, constitute and appoint guardians or commissioners, not exceeding three, one of which three shall preside as deputy and chief guardian, during such minority, and shall have and execute, with the consent of the other two, all the power of a governor, in all the public affairs and concerns of the said province.

Infancy of governor; guardians to be appointed.

“XXII. That as often as any day of the month mentioned in any article of this charter, shall fall upon the first day of the week, commonly called the Lord's Day, the business appointed for that day shall be deferred till the next day, unless in case of emergency.

Provision for the Lord's Day.

1682.

Alterations
of charter
guarded.

“XXIII. That no act, law, or ordinance whatsoever, shall at any time hereafter be made or done by the governor of this province, his heirs or assigns, or by the freemen in the provincial council or the general assembly, to alter, change, or diminish the form or effect of this charter, or any part or clause thereof, or contrary to the true intent and meaning thereof, without the consent of the governor, his heirs or assigns, and six parts of seven of the said freemen, in provincial council and general assembly.

Penn's
pledge to the
grants, &c.
here made.

“XXIV. And lastly, that I, the said William Penn, for myself, my heirs and assigns, have solemnly declared, granted, and confirmed, and do hereby solemnly declare, grant, and confirm, that neither I, my heirs nor assigns, shall procure or do any thing or things whereby the liberties in this charter contained and expressed shall be infringed or broken; and if any thing be procured by any person or persons, contrary to these premises, it shall be held of no force or effect.

“In witness whereof, I, the said William Penn, have unto this present charter of liberties set my hand and broad seal, this five and twentieth day of the second month, vulgarly called April, in the year of our Lord one thousand six hundred and eighty-two. WILLIAM PENN.”¹

May.

Mark New-
by's half-
pence autho-
rized.

For the purpose of payment of small sums, the assembly of New Jersey pass an act authorizing the circulation of Mark Newby's halfpence, called Patrick's halfpence, at their par value, he being required to give security to the speaker of the house, that he will “change the said halfpence for pay equivalent, upon demand, and provided, that no person or persons be obliged to take more than five shillings in one payment.” These were Irish halfpence, a parcel of which Newby had brought in with him. This is the first mention of coin that we have noticed legally authorized. It is probable some of them may have found their way into Pennsylvania.²

May 15.

Laws agreed
on in Eng-
land.

The frame of government was shortly followed by certain laws passed in England, which were intended to be altered or amended by an assembly in Pennsylvania, and which was afterwards done. For the purpose of comparison, they are inserted at length.

“*Laws agreed upon in England, &c.*—I. That the charter

¹ Reg. Penns. vol. i. pp. 337—340.

² Leaming & Spicer, p. 444. Smith's N. J. p. 153.

of liberties declared, granted, and confirmed the five and twentieth day of the second month, called April, 1682, before divers witnesses, by William Penn, governor and chief proprietor of Pennsylvania, to all the freemen and planters of the said province, is hereby declared and approved, and shall be for ever held as fundamental in the government thereof, according to the limitations mentioned in the said charter.

1682.

Charter of
liberties con-
firmed.

“II. That every inhabitant in the said province that is or shall be a purchaser of one hundred acres of land, or upwards, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land at one penny an acre, and have cultivated ten acres thereof; and every person that hath been a servant or bondman, and is free by his service, that shall have taken up his fifty acres of land, and cultivated twenty thereof; and every inhabitant, artificer, or other resident in the said province, that pays scot and lot to the government, shall be deemed and accounted a freeman of the said province; and every such person shall and may be capable of electing or being elected representatives of the people in provincial council or general assembly in the said province.

Qualifica-
tions of a
freeman.

“III. That all elections of members or representatives of the people and freemen of the province of Pennsylvania, to serve in provincial council or general assembly, to be held within the said province, shall be free and voluntary, and that the elector that shall receive any reward or gift, in meat, drink, moneys, or otherwise, shall forfeit his right to elect; and such person as shall directly or indirectly give, promise, or bestow such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid: and the provincial council and general assembly shall be the sole judges of the regularity or irregularity of the elections of their own respective members.

Election.
Bribery, how
punished.

“IV. That no money or goods shall be raised upon, or paid by any of the people of this province, by way of public tax, custom, or contribution, but by a law for that purpose made; and whosoever shall levy, collect, or pay any money or goods contrary thereto, shall be held a public enemy to the province, and a betrayer of the liberties of the people thereof.

Taxes, &c.
only im-
posed by
law.

“V. That all courts shall be open, and justice shall neither be sold, denied, or delayed.

All courts
open.

“VI. That in all courts, all persons of all persuasions may

1682. freely appear in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friend; and the first process shall be the exhibition of the complaint in court, fourteen days before the trial, and that the party complained against may be fitted for the same, he or she shall be summoned no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling-house. But before the complaint of any person be received, he shall solemnly declare in court, that he believes in his conscience his cause is just.
- Persons may plead in their own case.**
- Cause must be just. Regulations.**
- Proceedings to be short, and in English.**
- “VII. That all pleadings, processes, and records in court, shall be short, and in English, and in an ordinary and plain character, that they may be understood, and justice speedily administered.
- Juries; mode of selecting.**
- “VIII. That all trials shall be by twelve men, and as near as may be, peers or equals, and of the neighbourhood, and men without just exception. In cases of life, there shall be first twenty-four returned by the sheriffs for a grand inquest, of whom twelve at least shall find the complaint to be true, and then the twelve men or peers, to be likewise returned by the sheriff, shall have the final judgment. But reasonable challenges shall be always admitted against the said twelve men, or any of them.
- Fees moderate, and to be hung up.**
- “IX. That all fees in all cases shall be moderate, and settled by the provincial council and general assembly, and be hung up in a table in every respective court, and whosoever shall be convicted of taking more, shall pay twofold, and be dismissed his employment, one moiety of which shall go to the party wronged.
- Prisons to be work-houses.**
- “X. That all prisons shall be workhouses for felons, vagrants, and loose and idle persons, whereof one shall be in every county.
- Bailable offences.**
- “XI. That all persons shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption is great.
- False imprisonment.**
- “XII. That all persons wrongfully imprisoned or prosecuted at law, shall have double damages against the informer or prosecutor.
- Prisons free.**
- “XIII. That all prisons shall be free as to fees, food, and lodging.
- “XIV. That all lands and goods shall be liable to pay

debts, except where there is legal issue, and then all the goods, and one-third of the land only. 1682.

“XV. That all wills in writing, attested by two witnesses, shall be of the same force as to lands, as other conveyances, being legally proved within forty days, either within or without the said province. Wills.

“XVI. That seven years quiet possession shall give an unquestionable right, except in cases of infants, lunatics, married women, or persons beyond the seas. Right by possession.

“XVII. That all briberies and extortions whatsoever shall be severely punished. Bribery.

“XVIII. That all fines shall be moderate, and saving men’s contentements, merchandise, or wainage. Fines moderate.

“XIX. That all marriages (not forbidden by the law of God, as to nearness of blood and affinity by marriage) shall be encouraged; but the parents or guardians shall be first consulted, and the marriage shall be published before it be solemnized, and it shall be solemnized by taking one another as husband and wife, before credible witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of that county, and shall be registered in his office. Marriages.
Ceremony.

“XX. And to prevent frauds and vexatious suits within the said province, that all charters, gifts, grants, and conveyances of land, (except leases for a year or under,) and all bills, bonds, and specialties above five pounds, and not under three months, made in the said province, shall be enrolled or registered in the public enrolment office of the said province, within the space of two months next after the making thereof, else to be void in law. And all deeds, grants, and conveyances of land, (except as aforesaid,) within the said province, and made out of the said province, shall be enrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an insolvent office or register within the said province, else to be void in law against all persons whatsoever. Deeds, &c. to be enrolled and registered.

“XXI. That all defacers or corrupters of charters, gifts, grants, bonds, bills, wills, contracts, and conveyances, or that shall deface or falsify any enrolment, registry, or record, within this province, shall make double satisfaction for the same, half whereof shall go to the party wronged, and they Defacers, &c. of instruments, how punished.

1682. shall be dismissed of all places of trust, and be publicly disgraced as false men.
- Register of births, &c. "XXII. That there shall be a register for births, marriages, burials, wills, and letters of administration, distinct from the other registry.
- And of servants. "XXIII. That there shall be a register for all servants, where their names, time, wages, and days of payment shall be registered.
- Lands of felons made liable. "XXIV. That all lands and goods of felons shall be liable to make satisfaction to the party wronged twice the value; and for want of lands or goods, the felons shall be bondmen, to work in the common prison or workhouse, or otherwise, till the party injured be satisfied.
- Estates of capital offenders. "XXV. That estates of capital offenders, as traitors and murderers, shall go one-third to the next of kin to the sufferer, and the remainder to the next of kin to the criminal.
- Witnesses' attestations. "XXVI. That all witnesses coming or called to testify their knowledge in or to any matter or thing in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by solemnly promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question.
- Perjury. And in case any person so called to evidence shall be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty as the person or persons against whom he or she bore false witness, did or should undergo; and shall also make satisfaction to the party wronged, and be publicly exposed as a false witness, never to be credited in any court, or before any magistrate, in the said province.
- One office at a time. "XXVII. And to the end that all officers chosen to serve within this province, may, with more care and diligence, answer the trust reposed in them, it is agreed, that no such person shall enjoy more than one public office at one time.
- Children to be taught trades, &c. "XXVIII. That all children within this province, of the age of twelve years, shall be taught some useful trade or skill, to the end none may be idle, but the poor may work to live, and the rich, if they become poor, may not want.
- Servants. "XXIX. That servants be not kept longer than their time, and such as are careful be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom.

“XXX. That all scandalous and malicious reporters, backbiters, defamers, and spreaders of false news, whether against magistrates or private persons, shall be accordingly severely punished, as enemies to the peace and concord of this province. 1682.

“XXXI. That for the encouragement of the planters and traders in this province, who are incorporated into a society, the patent granted to them by William Penn, governor of the said province, is hereby ratified and confirmed. Charter of Free Traders confirmed.

“XXXII. * * * * *

“XXXIII. That all factors or correspondents in the said province, wronging their employers, shall make satisfaction and one-third over, to the said employers; and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estate as belongs to his said respective employers. Breach of trust.

“XXXIV. That all treasurers, judges, masters of the rolls, sheriffs, justices of the peace, and other officers and persons whatsoever, relating to courts or trials of causes, or any other service in the government, and all members elected to serve in provincial council and general assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ, and are not convicted of ill-fame, or unsober and dishonest conversation, and that are of twenty-one years of age at least; and that all such so qualified, shall be capable of the said several employments and privileges as aforesaid. Officers and electors to believe in Jesus Christ.

“XXXV. That all persons living in this province who confess and acknowledge the one Almighty and Eternal God, to be the Creator, Upholder, and Ruler of the world, and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall in noways be molested or prejudiced for their religious persuasion or practice in matters of faith and worship; nor shall they be compelled at any time to frequent or maintain any religious worship, place or ministry whatever. Religious liberty.

“XXXVI. That according to the good example of primitive Christians, and the ease of the creation, every first day of the week, called the Lord's Day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings. Observance of the Lord's Day.

“XXXVII. That as a careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation All offences against God to be punished.

1682. of God against a country ; therefore, that all offences against God, as swearing, cursing, lying, profane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes, whoredom, fornication, and other uncleanness, (not to be repeated,) all treasons, misprisons, murders, duels, felony, sedition, maims, forcible entries, and other violences to the persons and estates of the inhabitants within this province : all prizes, stage-plays, cards, dice, May-games, gamesters, masks, revels, bull-baitings, cock-fightings, and the like, which excite the people to rudeness, cruelty, looseness, and irreligion, shall be respectively discouraged, and severely punished, according to the appointment of the governor and freemen in provincial council and general assembly, as also all proceedings contrary to these laws, that are not here made expressly penal.

Crimes to be punished.

Laws to be published, exhibited, and annually read.

Alterations by consent of six-sevenths of the freemen.

Additions and amendments.

Date.

“XXXVIII. That a copy of these laws shall be hung up in the provincial council, and in public courts of justice, and that they shall be read yearly at the opening of every provincial council and general assembly, and court of justice ; and their assent shall be testified, by their standing up after the reading thereof.

“XXXIX. That there shall be at no time any alteration of any of these laws, without the consent of the governor, his heirs or assigns, and six parts of seven of the freemen, met in provincial council and general assembly.

“XL. That all other matters and things not herein provided for, which shall and may concern the public justice, peace, or safety of the said province, and the raising and imposing taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence, and determination of the governor and freemen in provincial council and general assembly, to be held from time to time in the said province.

“Signed and sealed by the governor and freemen aforesaid, the fifth day of the third month, called May, one thousand six hundred and eighty-two.”¹

Penn wrote to several persons whom he supposed were settled within his bounds, the following letter, warning them not to pay taxes to Lord Baltimore,² dated September 16, 1681 :

¹ Reg. Penns. vol. i. pp. 357—359. Votes of Assembly, vol. i.

² This letter is from a copy in the Land-Office, which we have met with only now, which will account for its not being inserted in its proper place.

“London, 16th of 7th month, 1681. 1682.

“My friends—I hope I do not improperly call you so, because in being so you will extremely befriend yourselves, as well as perform an act of duty to the king and justice to me.

Letter from
Wm. Penn
to settlers on
eastern
shore.

“I am equally a stranger to you all, but you being represented men of substance and reputation in that part of the bay which I presume falls within my patent, I chose to take this opportunity to begin your acquaintance, and by you with the rest of the people on your side of my country, and do assure you and them that I will be so far from taking any advantage to draw great profits to myself, that you shall find me and my government easy, fair, and just, and as you shall study to be fair and respectful to me and my just interests, I will not be short of giving you all reasonable assurances on my part that I will live kindly and well with you, and for this you have my word, under my hand. I think fit to caution you, (if within my bounds, as I am ready to believe, but I desire no more than my own,) that none of you pay any more taxes or sessments, by any order or law of Maryland, for if you do, it will be greatly to your own wrong, as well as my prejudice, though I am not conscious to myself, of such an insufficiency of power here with my superiors, as not to be able to weather the difficulty, if you should; but the opinion I have of the Lord Baltimore’s prudence, as well as justice, and of your regard to your own interests, and future good of your posterity, makes me to waive all objections of that nature, and to hope we shall all do the thing that is just and honest, (which is always wise,) according to our respective stations. I have no more to add, but my good wishes for all your happiness, and that by the help of Almighty God, next spring I shall have some testimony of my best endeavours to contribute towards it, as becomes my duty to God, to the king, and to their people. I am your real friend.

“Signed, WILLIAM PENN.

“Pray salute me to all your neighbours.”

The superscription was, “For James Frisbie, Edward Jones, Augustus Herman, George Oulderfield, Henry Ward, and Henry Johnson, at their plantations in Pennsylvania.”

It appears, by the following instructions to Philip Ford, that not long after the departure of Thomas Holme, a list of the lands sold in England, Ireland, and Scotland, was prepared, to be sent to him. A copy of this list is in the

1682. Land Office at Harrisburg, giving the names of the several purchasers, and the quantity of land to each; from this list we have ascertained that the sales amounted to, at this time, about 565,500 acres, in parcels of from 250 to 10,000 acres; of the latter quantity are two lots to the Free Society of Traders, making up their 20,000 acres. It is entitled, "An account of the lands in Pennsylvania, granted by William Penn, Esq., &c., to several purchasers in England, Ireland, and Scotland, &c." Penn's order to Ford is as follows:

June 1.
List of
lands sold in
England, to
be sent to
T. Holme.

"These are to authorize thee to set my name to the list of purchasers now to be sent away to Thomas Holme, my surveyor-general for that province. Given under my hand, this 22d day of the 3d month, 1682. WILLIAM PENN."

Ford's order to Holme is in these words:

"To my loving friend, Thomas Holme, surveyor-general of Pennsylvania, greeting—These are to authorize thee to set out the surveyed bounds to the respective purchasers' use, according to the last lists of purchasers sent by Philip Ford, and by him signed, according to authority given him by me; and for so doing, this shall be thy sufficient warrant. Given under my hand, this 22d day of 3d month, 1682.

"Signed, WILLIAM PENN, [L. s.]
"per Philip Ford."*

June 8.
First meet-
ing and elec-
tion of offi-
cers of Free
Society of
Traders.

The first meeting of the Free Society of Traders was held in London, May 29, for choosing officers; the following were elected—Nicholas Moore, of London, medical doctor, president; John Simcock, of Pennsylvania, yeoman, deputy president; James Claypoole, of London, merchant, treasurer; all to continue for seven years: John Boy, of Wilts, surveyor, and the following committee of twelve, to reside in Pennsylvania, Thomas Brassey, Robert Turner, Thomas Holme, John Bezer, Francis Plumstead, Griffith Jones, Anthony Elton, James Harrison, John Blunston, Isaac Martin, Walter King, William Haige: Joseph Martin, of London, merchant, chief agent; Philip Ford, of London, merchant, deputy agent; William Sherlow, merchant, John Sweetapple, goldsmith, Thomas Barker, wine-cooper, Edward Pelrod, oilman, all of London, assistants.

Agreed to request, through the governor, the first provincial council and assembly to be held in Pennsylvania; "that the twenty-four assistants of the committees shall be chosen out of such subscribers that are most apt for managing the

* See Appendix.

affairs there, and that by the assent and approbation of the governor, the provincial council, and general assembly aforesaid, but that this shall not be a precedent hereafter." Every subscriber to pay 5 per cent. at subscribing. 1682.

Another meeting of the Society of Free Traders was held, at which, having agreed to fine "disorderly talkers," and for interrupting a speaker, or "speaking out of course," 1*d.* for first offence, 3*d.* for the second, and 6*d.* for the third, and adding Francis Burroughs, Edward West, John Crow, and Francis Plumsted to the committee of advice, resolved to build "a glass-house, with all convenient speed, on the society's lands," and to send a deputy with a letter from the president, and some present, "to the Emperor of Canada and tributary king, to be prepared according to the wisdom of the committee, in order to the engaging a trade."

June 12.
Meeting of
the society.
Resolve to
build a
glass-house,
and send a
letter to the
Indians.

About this time, William Penn met with a very severe affliction, in the loss of his mother, "for whom he had the deepest filial affection." "It is said that he was so affected by her death, that he was ill for some days."¹

June.
Death of
Penn's mother.

Thomas Holme, the surveyor-general, probably arrived about this time, and appears to have entered, very soon after it, upon his labours.

At the next court at Upland, Markham does not appear to have been present. Jacob Fabricius is a plaintiff. There is a curious case of *crim. con.* The following record appears: "The grant formerly made from Governor Markham to the inhabitants of Markus Hook, at their request, for the calling the name of the said town Chicester, which said grant bears date 20th April, 1682, and was read and published in the court held at Upland, June 13th, 1682, according to order, as a record thereof."²

June 23.
Change of
name of
Marcus
Hook.

The society having appointed a messenger for Pennsylvania, wrote by him to the "Emperor of Canada," as directed, the following letter, in explanation of the views and objects of the society in its formation:³

June 29.

"TO THE EMPEROR OF CANADA. [L. S.]

"London, the 19th day of the 4th month, called June, 1682.

"Friend: I have sent *you* this letter and messenger, to let

¹ Clarkson, vol. i. p. 233.

² Records at West Chester.

³ Reg. Penns. vol. i. p. 397. The original manuscript of this letter, on parchment, is in the Land-Office, at Harrisburg, so much *defaced by rats* as to render many words illegible; these are supplied in the foregoing, and italicized. Another warning against the destruction of public documents!

1682.

Letter of the
society to
the Emperor
of Canada.

you know that I am elected president of the Free Society of Traders of Pennsylvania, and as I am such, have the power and free consent of all these good men to treat with you, your kings, and your people, in all things pertaining to trade, and also to give you assurance that all our intentions and purposes towards you are good and just; and unto this messenger we have given full power to agree with you in all things relating to our affairs; he is a good and just man; what you do with him we will ratify and confirm without delays or exception, and you shall find that we are a people that love peace and justice, and are not afraid of war. Our God is a God of peace, a God of love, grace, mercy, and justice, and we are his followers, having the same principle, and will always endeavour to be found in the like practice. He is always doing good unto all His creatures, whom you and we are; we also being persuaded of this duty, have now resolved to seek to do you good in all we are able; therefore, it will not be our faults if you are not happy in our neighbourhood, for we will be kind and loving to you at all times, and will be your friends, which thing we also expect from you, and cannot but suppose that you shall readily consider and accept of our kindness, *and* rejoice at it. And we are willing also to receive you into a perpetual friendship and protection amongst us.

“In witness whereof, I do propose unto you, that we are willing to receive you, your kings and people in our society of trade, and if you will bring in your goods in our society for a free trade, you shall greatly enrich yourselves by it, for we will improve it for you, as well as for us, and in so doing, you shall have what you and yours shall want of all good things, without being beholden to any other people whatsoever, for we and you being united, we shall take off your goods, and we shall help you with ours, to your content, so that the advantage shall be equal; therefore it is your interest to command your kings and people to trade with us, thus united, alone, it being your proper advantage, and you yourself may, from time to time, come and see our trade and improvement, and take your profits which shall arise therefrom, proportionably to what you shall join with us: this we propose as a proper means to unite all our interests for ever. We shall be glad to see you the next spring, to conclude some good treaty together in peace; and to show you that we are good

men, we have sent you this present; when we meet you, you shall know this to be altogether true. In the mean time prepare for trade, as we do. I rest your true friend, N. MORE.¹ 1682.

“Directed for the Emperor of Canada.”

William Penn also furnished the society with the following introductory letter to the “emperor,” soliciting his friendly offices: July 1.

“The great God that made thee and me, and all the world, incline our hearts to love peace and justice, that we may live friendly together, as becomes the workmanship of the great God. The King of England, who is a great prince, hath, for divers reasons, granted to me a large country in America, which, however, I am willing to enjoy upon friendly terms with thee; and this I will say, that the people who comes with me are a just, plain, and honest people, that neither make war upon others, nor fear war from others, because they will be just. I have set up a society of traders in my province, to traffic with thee and thy people, for your commodities, that you may be furnished with that which is good, at reasonable rates; and that society hath ordered their president to treat with thee about a future trade, and have joined with me to send this messenger to thee with certain presents from us, to testify our willingness to have a fair correspondence with thee, and what this agent shall do in our names, we will agree unto. I hope thou will kindly receive him, and comply with his desires on our behalf, both with respect to land and trade. The great God be with thee. Amen. WILLIAM PENN.

Letter from Wm. Penn to Emperor of Canada, introducing the society.

“Philip Theodore Lehman, secretary.

“London, the 21st day of the 4th month, called June, 1682.”²

J. Claypoole, from whose letters we have already quoted, after all his doubts and uncertainties, finally has made up his mind to remove to Pennsylvania. He thus writes upon the subject to his brother: July 24.

J. Claypoole going to Pennsylvania.

“I have taken up resolutions to go next spring, with my whole family, for Pennsylvania, so have not sent my orders for a house or planting, but intend to do it when I come. I have 100 acres where our capital city is to be, upon the river near Schuylkill and Peter Cock; there I intend to plant and build my first house.”³

Location of Philadelphia probably determined.

¹ So spelled here: in most other cases, Moore.

² From a copy taken from the original manuscript in the Land-Office at Harrisburg, certified by S. Workman, among the MSS. of Penns. Hist. Soc. Reg. Penns. vol. ix. p. 112.

³ Claypoole.

1682.

This extract seems to confirm the fact that the present location of Philadelphia had been decided upon by the commissioners; that Penn had been informed of the fact in England, and that he had communicated it to purchasers there.

Further particulars respecting the society.

In the following extract we have some further information respecting the society, and of their plans and powers under the charter. The writer again alludes to the *capital city*:

"We have erected a society for trade in Pennsylvania, according to enclosed book. We have already subscribed £10,000 stock, of which we receive at present but one-half part, which is about £5000, and after the arrival of the first ship belonging to the company in Pennsylvania, which may probably be in the eighth month next, the subscriptions will continue for six months following; so if there be any friend or acquaintance of thine that is inclined to join with us, I desire thee to encourage it, for the greater the stock the more easily will it bear the charge, for we could very well employ £20,000 stock. One Doctor Moore, a very worthy, ingenious person, is chosen president, John Symcock, of Pennsylvania, deputy president. I am chosen treasurer. They allow the president £150, deputy and treasurer each £100 per annum, agreed for seven years to come. We are to send out 100 servants to build houses, to plant and improve land, and for cattle, and to set up a glass-house, for bottles, drinking glass, and window glass, to supply the islands and continent of America; and we hope to have wine and oil for merchandise, and some corn; however, hemp for cordage, and for iron and lead, and other minerals, we have no doubt of; so that through the blessing of God, we may hope for a great increase, and it may come to be a famous company. We have sent a messenger to the emperor and kings, to settle a constant friendship and trade between us, and have sent them divers presents in the name of the society, and do reserve about £2000 for the beaver and fur trade and skins. We have bought 20,000 acres of land, and shall have 400 acres of it in the capital city, where our house must be built, with divers warehouses and offices. As for the governor, William Penn, he has been and will be very kind to us, besides his subscription, which is considerable. He has given us the quit-rent of all our land, and most ample patent or charter, to be confirmed by the first general assembly in Pennsylvania, with as many privi-

leges as we could desire, whereby we are a corporation, a lordship, and manor, having a magistracy and government within ourselves, the three principal officers aforesaid being justices of the peace."¹ 1682.

In a letter, a short time afterwards, he says, "I may send thee a map of Pennsylvania, and William Penn's book about it, and the laws agreed on, and what other papers may be necessary for thy perusal." By whom was this map prepared? Was it by Holme, before he left England, and from materials furnished by the commissioners? If so, it was probably only an outline, and filled up afterwards, as we now see it.

A map of
Pennsylvania.

The first purchase of lands made by or for Penn, from the Indians, that we have seen any account of, was the following, made by William Markman, of lands near Neshaminy. The Dutch, Swedes, and English, before Penn's time, as we have seen, had made similar purchases. This is a copy taken from the original deed on parchment, remaining in the Secretary of State's office at Harrisburg: July 25.

"This indenture, made the 15th day of July, in the year of our Lord, according to English account, 1682, between Idquahon, Jeanottowe, Idquoquequon, Sahoppe, for himself and Ocomickon, Merkekowan, Oreckton, for Nannacussey, Shaurwaughon, Swanpisse, Nahoosey, Tomackhickon, Weskekitt, and Tohawsis, Indian sachamakers, of the one part, and William Penn, chief proprietor, &c., on the other, witnesseth, that for and in consideration of the sums and quantities of goods, merchandises, and utensils hereinafter mentioned and expressed, (that is to say,) 350 fathoms of wampum, 20 white blankets, 20 fathoms of strawdwaters, 60 fathoms of duffields, 20 kettles, (4 whereof large,) 20 guns, 20 coats, 40 shirts, 40 pair stockings, 40 hoes, 40 axes, 2 barrels powder, 200 bars lead, 200 knives, 200 small glasses, 12 pair shoes, 40 copper boxes, 40 tobacco tongs, 2 small barrels of pipes, 40 pair scissors, 40 combs, 24 pounds red lead, 100 awls, 2 handsful fish-hooks, 2 handsful needles, 40 pounds shot, 10 bundles beads, 10 small saws, 12 drawing-knives, 4 ankers tobacco, 2 ankers rum, 2 ankers cider, 2 ankers beer, and 300 guilders, by the said William Penn, his agents or assigns, to the said Indian sachamakers, for the use of them and their people, at and before sealing and delivery hereof, in hand

Deed between Markham and the Indians, for lands about Falls of Delaware.

¹ Claypoole.
3c 2

1682.

July 25.

Indian deed
to Markham
continued.

paid and delivered, whereof and wherewith they the said sachamakers do hereby acknowledge themselves fully satisfied, contented and paid, the said Indian sachamakers, parties to these presents, as well for and on behalf of themselves, as for and on behalf of their respective Indians or people for whom they are concerned, have granted, bargained, sold, and delivered, and by these presents do fully, freely, and absolutely grant, bargain, sell, and deliver unto the said William Penn, his agents and assigns for ever, all that or those tract or tracts of land lying and being in the province of Pennsylvania aforesaid, beginning at a certain white oak in the land now in the tenure of John Wood, and by him called the Graystones, over against the Falls of Delaware River, and so from thence up by the river side, to a corner-marked spruce-tree, with the letter P, at the foot of a mountain, and from the said corner-marked spruce-tree, along by the ledge or foot of the mountains west-north-west, to a corner white oak, marked with letter P, standing by the Indian path that leads to an Indian town called Playwicky, and near the head of a creek called Towsissinck, and from thence west to the creek called Neshammony's Creek, and along by said Neshammony's Creek unto the River Delaware, alias Makerisk-kitton, and so bounded by the said main river to the said first-mentioned white oak in John Wood's land, and all those islands called or known by the several names of Mattinicunk Island, Sepassnick's Island, and Oreckton's Island, lying or being in the said River Delaware, together also, with all and singular the isles, islands, rivers, rivulets, creeks, waters, ponds, lakes, plains, hills, mountains, meadows, marshes, swamps, trees, woods, mines, minerals, and appurtenances whatsoever to the said tract or tracts of land belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders thereof, and all the estate, right, title, interest, use, property, claim, and demand whatsoever, as well of them the Indian sachamakers, (parties to these presents,) as of all and every other the Indians concerned therein, or in any part or parcel thereof; to have and to hold the said tract and tracts of land, islands, and all and every other the said granted premises, with their and every of their appurtenances, unto the said William Penn, his heirs and assigns for ever, to the only use and behoof of the said William Penn, his heirs and assigns, for evermore. And the said Indian sachamakers,

their heirs and successors, and every of them, the said tract or tracts of land, islands, and all and every other the said granted premises, with their and every of their appurtenances, unto said William Penn, his heirs and assigns for ever, against them the said Indian sachamakers, their heirs and successors, and against all and every Indian and Indians, and their heirs and successors, claiming or to claim any right, title, or estate into or out of the said granted premises, or any part or parcel thereof, shall and will warrant and for ever defend, by these presents. In witness whereof, the said parties to these presents interchangeably have set their hands and seals, the day and year first above written, 1682.

1682.

July 25.

Indian deed continued.

“Signed,

WILLIAM MARKHAM,

“Deputy Governor to William Penn, Esq.

“Sealed and delivered in presence of Kowyockhicken, Alloiwham, &c., Lasse Cock, Richard Noble, Thomas Revell.

“Recorded p. 50, &c.—N. B. Boileau, secretary.”

There is a duplicate¹ of the foregoing, with a memorandum dated August 1, 1682, rectifying certain mistakes, or explaining some items, viz. “the number of 10 guns more than we mentioned, which we should have received, we now acknowledge the receipt of from William Penn.” The 350 fathoms of wampum, quality not expressed, means, “to be one-half white wampum and one-half black.” “Pecerappamand, Pyterhay, and Elkpamachitte, Indian sachamakers, who were the right owners of the land called Soepassincks, and of the island of the same name, and who did not formerly sign and seal the within deed, nor were present when the same was done,” now confirm the proceedings.²

It is probable that William Penn availed himself of the advice of persons whom he deemed capable of furnishing it, calculated to be useful to him in the settlement or management of his colony. Among these was perhaps the celebrated Sir William Petty, who wrote at least two letters to him on the subject. The second letter exists at Harrisburg, in the Land-Office, apparently original, directed to William Penn, then in London, though without the name of the writer, but endorsed as from him, of which it shows internal evidence. His views are curious and prospective, and it is highly pro-

August 24.

¹ This spells the name of the river, Makerisk-Hickon.

² Recorded in Secretary's Office at Harrisburg, in book of “Records of Charters and Indian Deeds,” pp. 50—52.

1682. bable may have suggested hints of which Penn availed himself afterwards.

“London, 14th August, 1682.

August 24.

Letter of
Sir William
Petty to
Wm. Penn,
viewing
Pennsylvania
politico-
economical-
ly.

“Old friend—My opinion is, that not only Pennsylvania, but all the habitable land upon the face of the earth will (within the next fifteen hundred years) be as fully peopled as England is now; that is to say, that there will be a head for every four acres of land, whereas in Ireland there are about ten acres to every head, the medium whereof is seven. Wherefore, when God sendeth you to Pennsylvania, I advise you to take a perfect account of every soul within your territory and jurisdiction, and then to set out a piece of land containing seven times that number in acres, which land ought to be chosen for its situation, healthfulness, and fertility, and to be defensible by nature, as much as may be. It is not likely that in seven years that your people will increase so fast as to bring your said seven acres to four acres per head. Wherefore making no alteration in seven years, I would then again number the inhabitants, and add to the first parcel such another parcel as might contain seven times as many acres as was the number of increase of people, and would consider whether it were best to make this additional parcel contiguous to the first, or a new colony distant from it.

“It may be here objected, how this method would agree with the disposures which you have already made of great scopes of land within your territory, for such scopes may be so set out, as by this method to have no people at all, to the total loss of those who purchased from you.

“To which I answer, 1. That I would have the whole territory of Pennsylvania valued, suppose at £20,000, more or less, and suppose you have received £8000 for shares out of the same, I should then think it reasonable that yourself should have but three-fifths of the profit of any new plantation or colony, and that your purchasers should have the other two-fifths, to be proportionably divided amongst them by lot or agreement. My next consideration is, how to make a proportion between the value of your lands and hands, which I will suppose, by the example of England, to be as one to three, that is to say, that the rent of the land peopled as above mentioned, is to be one-quarter part of all that is produced or gained by the said inhabitants, which, when you can value by silver, then you may pronounce not only what your

land is locally worth in commodities, but universally in silver. 1682.

“It is to be feared, that if lands fit and prepared for tillage be worth in England but one-quarter of the produce, that in Pennsylvania the best uncultivated lands cannot be worth so much, by the labour which must be bestowed in making them as fit for use as the lands in England already are.”

August.

Wm. Petty's
letter con-
tinued.

“I also think it not amiss (supposing your territory to be 200 miles square) to conceive it divided into 400 parts or squares, of ten miles in the side, and thereupon supposing the whole to be worth £20,000, and each of the said squares £50 at a medium, I say I would have each of the said squares valued at more or less than the said £50, as the hopes of their being planted appears to be, but so as that the whole may amount to the just sum of £20,000, and according to this method, with a lot cast upon it, every one of the purchasers may have his whole scope set out together where his lot falleth, and his lot may fall upon land which may be forthwith planted, or which may not be planted till five hundred years hence, or perhaps not till the last century of fifteen hundred years above mentioned.

“I conclude with repeating what I mentioned in my former letter, that by degrees a perfect survey may be made of your whole territory, with divisions of the same, according to the bounds of nature, with a description of the animals, vegetables, and minerals appearing upon them; for such a survey [would give] great light to your plantation and foreign commerce. I am your faithful friend.”

[No signature, but endorsed “Sir William Petty’s letter, and directions about Pennsylvania.”]

Thomas Holme, surveyor-general, not long after his arrival, convened the Indians, and read to them the following letter from William Penn, with which he had been charged. A fac-simile of this letter is hung up in the hall of the Historical Society. It is to be regretted that Holme does not mention the place where he read it to the Indians; some suppose it was at Shackamaxon.

August.

Letter of
Wm. Penn
to the
Indians.

“The great God, who is the power and wisdom that made you and me, incline your hearts to righteousness, love, and peace. This I send to assure you of my love, and to desire your love to my friends, and when the great God brings me

1682. among you, I intend to order all things in such a manner that we may all live in love and peace one with another, which I hope the great God will incline both me and you to do. I seek nothing but the honour of His name, and that we, who are His workmanship, may do that which is well-pleasing to Him. The man which delivers this unto you is my special friend, sober, wise, and loving; you may believe him. I have already taken care that none of my people wrong you, by good laws I have provided for that purpose; nor will I ever allow any of my people to sell rum, to make your people drunk. If any thing should be out of order, expect, when I come, it shall be mended, and I will bring you some things of our country that are useful and pleasing to you. So I rest in the love of our God that made us.

Another letter from Wm. Penn to the Indians, read to them by T. Holme.

"I am your loving friend, WILLIAM PENN.

"England, 21st of second month, 1682.

"I read this to the Indians, by an interpreter, the sixth month, 1682.—Thomas Holme."

August 31. The Duke of York executed a deed for Pennsylvania to William Penn, by way of security against any pretensions which might at any time be set up by the duke to this province.

"*The Duke of York's Deed for Pennsylvania.*—This indenture, made the one and twentieth day of August, in the four and thirtieth year of the reign of our sovereign lord Charles the Second, by the grace of God, of England, Scotland, France, and Ireland, king, defender of the faith, &c. Annoque Domini 1682, between the most illustrious prince, his royal highness, James, duke of York and Albany, earl of Ulster, &c., of the one part, and William Penn, esquire, son and heir of Sir William Penn, knight, deceased, of the other part: Whereas his royal highness, being willing and desirous that the tract or part of land called Pennsylvania, hereinafter mentioned, should be granted and assured unto the said William Penn, and his heirs, and for that purpose having signified and declared his assent thereunto, to the right honourable the lords of the committee of plantations, his said majesty, by his letters-patent under the great seal of England, bearing date the 4th day of March, in the three and thirtieth year of his reign, for the considerations therein mentioned, did grant unto the said William Penn, and his heirs, all that tract or part of land in America, with the islands therein contained,

The Duke of York's deed to Wm. Penn for Pennsylvania.

and thereunto belonging, as the same is bounded and described in and by the said letters-patent, and therein called Pennsylvania, together with the several royalties, franchises, jurisdictions, and privileges therein contained. And whereas, in consideration of five shillings, and for the considerations hereinafter mentioned, his said royal highness is willing and pleased to confirm and make any farther assurance of the said tract of land and premises, unto the said William Penn, and his heirs.

1682.

Duke's deed
for Pennsylv-
vania.

“Now, therefore, this indenture witnesseth, that his said royal highness, out of a special regard to the memory and many faithful and eminent services heretofore performed by the said Sir William Penn, to his said majesty and royal highness, and for the better encouraging him, the said William Penn, to proceed in cultivating and improving the said tract of ground, and islands therein and thereunto belonging, and reducing the savage and barbarous natives thereof to civility, and for the goodwill which his said royal highness hath and beareth to the said William Penn, and for other good causes and considerations, hath remised, released, and for ever quit claim, and by these presents doth for him and his heirs, remise, release, and for ever quit claim, unto the said William Penn, (in his peaceable possession now being,) his heirs and assigns, all the estate, right, title, interest, rents, services, duties, payments, property, claim, and demand whatsoever, of his said royal highness, of, into, or out of the said tract of land, and all and singular other the lands, islands, tenements, hereditaments, and other things comprised in the said recited letters-patent, and within the bounds and limits therein mentioned, to have and to hold the said tract of land, rents, services, hereditaments, and premises, unto the said William Penn, his heirs, to the only use and benefit of the said William Penn, his heirs and assigns for ever. In witness whereof, his royal highness hath to these presents set his hand and seal, the day and year first above written.

“JAMES. [L. S.]

“Sealed and delivered in the presence of J. Werden and George Mann.”¹

Having made arrangements with the Duke of York, for the “territories,” William Penn obtains from him a regular transfer of them, in two instruments termed “deeds of feoffment,” both dated on the 24th of August, one being for New

September 3

¹ Reg. Penns. vol. i. p. 375.

1682. Castle, and twelve miles about it, and the other for the lands, &c., between New Castle and Cape Henlopen. To these territories Lord Baltimore entered a claim, which led to a long and irritating controversy, as will hereafter appear. The Duke of York himself did not obtain from the king a regular conveyance of them till 22d March, 1683.

Deed of
feoffment for
New Castle,
and twelve
miles about
it.

“*The Duke of York’s Deed of Feoffment of New Castle, and twelve miles circle, to William Penn.*—This indenture, made the four and twentieth day of August, in the four and thirtieth year of the reign of our sovereign lord Charles the Second, by the grace of God, of England, Scotland, France, and Ireland, king, defender of the faith, &c., Annoque Domini 1682, between the most illustrious prince, his royal highness, James, duke of York and Albany, earl of Ulster, &c., of the one part, and William Penn, esquire, son and heir of Sir William Penn, knight, deceased, of the other part, witnesseth, that his said royal highness, out of a special regard to the memory and many faithful and eminent services heretofore performed by the said Sir William Penn to his said majesty and royal highness, and for the good will which his royal highness hath and beareth to the said William Penn; and for and in consideration of the sum of ten shillings, to him in hand paid by the said William Penn, at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, and for other good causes and considerations, doth bargain, sell, enfeoff, and confirm unto the said William Penn, his heirs and assigns, for ever, all that the town of New Castle, otherwise called Delaware, and all that tract of land lying within the compass or circle of twelve miles about the same, situate, lying, and being upon the River Delaware, in America, and all islands in the said River Delaware, and the said river and soil thereof, lying north of the southernmost part of the said circle of twelve miles about the said town, together with all rents, services, royalties, franchises, duties, jurisdictions, liberties, and privileges thereunto belonging; and all the estate, right, title, interest, powers, property, claim, and demand whatsoever, of his said royal highness, of, in, or to the same, or any part or parcel thereof: saving always, and reserving to his said royal highness, his agents and servants, free use of all ports, ways, and passages into, through, and out of the bargained premises, and every part and parcel thereof: to have and to hold the said town

and circle of twelve miles of land about the same, islands, and all other the before-mentioned or intended to be hereby bargained premises, with their appurtenances, unto the said William Penn, his heirs and assigns, to the only use and benefit of the said William Penn, his heirs and assigns for ever, yielding and paying therefor yearly and every year, unto his said royal highness, his heirs and assigns, the sum of five shillings of lawful money of England, at the Feast of St. Michael the Archangel only. And the said William Penn, for himself, his heirs and assigns, doth covenant and grant, to and with his said royal highness, his heirs and assigns, by these presents, that he, the said William Penn, his heirs and assigns, shall and will well and truly pay, or cause to be paid, to his said royal highness, his heirs and assigns, the said yearly rent of five shillings, at the days whereon the same is reserved to be paid as aforesaid. And his said royal highness, for himself, his heirs and assigns, doth covenant and grant, to and with the said William Penn, his heirs and assigns, by these presents, that his said royal highness, his heirs and assigns, will at any time or times hereafter, during the space of seven years next ensuing the date hereof, upon the request, and at the costs and charges in the law of the said William Penn, his heirs and assigns, do make and execute, or cause or procure to be made, done, and executed, all and every such further act and acts, conveyances and assurances in the law whatsoever, for the further conveying and assuring the said town and circle of twelve miles of land about the same, and islands, and all other the premises, with the appurtenances, unto the said William Penn, his heirs and assigns for ever, as by the counsel learned in the law of the said William Penn, his heirs or assigns, shall be reasonably devised, advised, or required. And his said royal highness hath hereby made, constituted, and appointed John Moll, of New Castle aforesaid, esquire, and Ephraim Harman, of New Castle aforesaid, gentleman, jointly, and either of them severally, his true and lawful attorneys, and by these presents, doth give and grant unto the said John Moll and Ephraim Harman, his said attorneys, or either of them, full power and authority for him, and in his name and stead, into all and singular the premises hereinbefore mentioned, or intended to be hereby aliened, enfeoffed, and confirmed, and into every or any part or parcel thereof, in the name of the whole, to

1682.

Duke's deed
for New
Castle, &c.

1682.

enter, and quiet and peaceable possession and seisin thereof, or of any part or parcel thereof, in the name of the whole, to enter and receive. And after peaceable possession thereof had and taken as aforesaid, to deliver quiet and peaceable possession and seisin thereof, or of any part or parcel thereof, in the name of the whole, to the said William Penn, his heirs or assigns, or to his or their lawful attorney or attorneys, sufficiently authorized to receive and take the same, and him or them to leave in the quiet and peaceable possession thereof, according to the true intent and meaning of these presents. And his said royal highness doth hereby allow of, ratify, and confirm whatsoever the said John Moll and Ephraim Harman, his said attorneys, shall lawfully do, or cause to be done, in and about the premises, by virtue of these presents, to be as good and effectual in the law, to all intents and purposes whatsoever, as if his said royal highness had done the same in his own person, or had been present at the doing thereof.

“In witness whereof, his said royal highness hath to these presents set his hand and seal, the day and year first above written.

JAMES. [L. S.]

“Sealed and delivered in the presence of John Werden, George Mann.”¹

Deed of
feoffment of
territories
south of New
Castle.

“*The Duke of York’s Deed of Feoffment of a tract of land twelve miles south from New Castle to the Whorekills, to William Penn.*—This indenture, made the four and twentieth day of August, in the four and thirtieth year of the reign of our sovereign lord Charles the Second, by the grace of God, of England, Scotland, France, and Ireland, king, defender of the faith, &c., Annoque Domini 1682, between the most illustrious prince, his royal highness, James, duke of York and Albany, earl of Ulster, &c., of the one part, and William Penn, esquire, son and heir of Sir William Penn, knight, deceased, of the other part, witnesseth, that his said royal highness, out of a special regard to the memory and many faithful and eminent services heretofore performed by the said Sir William Penn, to his said majesty and royal highness, and for the goodwill which his said royal highness hath and beareth to the said William Penn, and for and in consideration of the sum of ten shillings to him in hand paid by the said William Penn, at and before the ensembling and delivery of these presents, the receipt whereof is hereby

¹ Reg. Penns. vol. i. pp. 375—376.

acknowledged, and of the rent and covenants hereinafter reserved and contained, doth bargain, sell, enfeoff, and confirm unto the said William Penn, his heirs and assigns, for ever, all that tract of land upon Delaware River and Bay, beginning twelve miles south from the town of New Castle, otherwise called Delaware, and extending south to the Whorekills, otherwise called Cape Henlopen, together with free and undisturbed use and passage into and out of all harbours, bays, waters, rivers, isles, and inlets, belonging to or leading to the same, together with the soil, fields, woods, underwoods, mountains, hills, fens, isles, lakes, rivers, rivulets, bays, and inlets, situate in or belonging unto the limits and bounds aforesaid, together with all sorts of minerals; and all the estate, interest, royalties, franchises, powers, privileges, and immunities whatsoever, of his said royal highness therein, or in or unto any part or parcel thereof; saving always, and reserving to his said royal highness, his agents and servants, free use of all ports, ways, and passages into, through, and out of the said bargained premises, and every part and parcel thereof; to have and to hold the said tract of land, and all and singular other the premises, with the appurtenances, unto the said William Penn, his heirs and assigns, to the only use and behoof of him, the said William Penn, his heirs and assigns, for ever, to be holden of his said royal highness, and his heirs, as of their castle at New York, in free and common soccage, yielding and paying therefor yearly and every year, to his said royal highness, his heirs and assigns, one rose, at the Feast of St. Michael the Archangel, yearly, if demanded. And the said William Penn, for himself, his heirs and assigns, doth covenant and agree to and with his said royal highness, his heirs and assigns, that he, the said William Penn, his heirs or assigns, shall and will, within the space of one year next ensuing the date of these presents, erect or cause to be erected and set up, one or more public office or offices of registry in or upon the said bargained premises, wherein he or they, or some of them, shall and will, amongst other things, truly and faithfully account, set down, and register, all and all manner of rents and other profits, which he or they, or any of them, shall by any ways or means make, raise, get, or procure of, in, or out of the said bargained premises, or any part or parcel thereof, and shall and will, at the Feast of St. Michael, the Archangel, yearly and every year, well and

1682.

Deed of
feoffment of
territories,
continued.

1682. truly yield, pay, and deliver unto his said royal highness, his heirs and assigns, one full moiety of all and all manner of rents, issues, and profits, as well extraordinary as ordinary, as shall be made or raised upon, or by reason of the premises, or any part thereof. And if it shall happen the same shall be behind and unpaid, in part or in all, by the space of twenty days next after the same ought to be yielded, paid, or delivered, that then, and so often, it shall be lawful to and for his said royal highness, his heirs and assigns, to enter in and upon the said premises, or any part or parcel thereof, and there to distrain, and the distress and distresses there taken, to take and detain, until the said moiety, and arrears thereof, shall be well and truly satisfied and paid, together with all costs and damages for the same. And his said royal highness, for himself, his heirs and assigns, doth covenant and grant, to and with the said William Penn, his heirs and assigns, by these presents, that his said royal highness, his heirs and assigns, will at any time or times hereafter, during the space of seven years next ensuing the date hereof, upon the request, and at the costs and charges in the law of the said William Penn, his heirs and assigns, do, make, and execute, or cause or procure to be made, done, and executed, all and every such further act and acts, conveyances and assurances in the law whatsoever, for the further conveying and assuring the said tract of land, and all and singular other the premises, with the appurtenances, unto the said William Penn, his heirs and assigns for ever, as by the counsel learned in the law of the said William Penn, his heirs or assigns, shall be reasonably devised, advised, or required. And his said royal highness hath hereby made, constituted, and appointed John Moll, of New Castle aforesaid, esquire, and Ephraim Harman, of New Castle aforesaid, gentleman, jointly, and either of them severally, his true and lawful attorneys, and by these presents doth give and grant unto the said John Moll and Ephraim Harman, his said attorneys, or either of them, full power and authority for him, and in his name and stead, into all and singular the premises hereinbefore mentioned, or intended to be hereby aliened, enfeoffed, and confirmed, and into every or any part or parcel thereof, in the name of the whole, to enter, and quiet and peaceable possession and seisin thereof, or of any part or parcel thereof, in the name of the whole, to take and receive. And after

Deed of
feoffment of
territories,
continued.

peaceable possession thereof had and taken as aforesaid, to deliver quiet and peaceable possession and seisin thereof, or of any part or parcel thereof, in the name of the whole, to the said William Penn, his heirs or assigns, or to his or their lawful attorney or attorneys, sufficiently authorized to receive and take the same, and him or them to leave in the quiet and peaceable possession thereof, according to the true intent and meaning of these presents. And his said royal highness doth hereby allow of, ratify, and confirm whatsoever the said John Moll and Ephraim Harman, his said attorneys, shall lawfully do, or cause to be done, in and about the premises, by virtue of these presents, to be as good and effectual in the law, to all intents and purposes whatsoever, as if his said royal highness had done the same in his own person, or had been present at the doing thereof.

1682.

Deed of
feoffment of
territories,
continued.

“In witness whereof, his said royal highness hath to these presents set his hand and seal, the day and year first above written.

JAMES. [L. S.]

“Sealed and delivered in the presence of J. Werden and George Mann.”¹

Having arranged all his business matters, and provided a ship for his departure, William Penn prepares to embark on board the ship *Welcome*, Captain Robert Greenway, master, of 300 tons. After writing a pathetic letter of advice to his wife and children, in company with several friends he departed for Deal, where he embarked, with about one hundred passengers, chiefly Quakers, for Pennsylvania, the names of whom, with few exceptions, are now unknown to us. On the 30th August, he addressed, from the Downs, “a salutation to all faithful friends in England,” which is in print.² On or about the 1st of September, they took their final departure. Claypoole writes on the 3d, “we hope the ‘Welcome,’ with William Penn, is gotten away clear.”³

Sept. 11.

Penn sails
from Eng-
land for
Pennsylva-
nia, in the
Welcome.

Markham is again present at a court at Upland; his name does not again appear.

Sept. 22.

Markham at
court.

It is probable that soon after the arrival of Markham and the commissioners, they entered upon the discharge of their duties. The purchase of land from the Indians has already been noticed, and there are numerous warrants for the survey

Sept. 29.

¹ Reg. Penns. vol. i. pp. 429—430. ² See “*The Friend*,” vol. i. p. 47.

³ Clarkson, vol. i. p. 242, where see the letter to his wife, &c. Proud, vol. i. p. 228.

1682.

Location of
Philadel-
phia.

of lands, issued by them throughout the year, as may be seen by the public records. But the primary object of their commission (see page 527) appears to have been the selection of a suitable location for "a great town." After providing for the comfortable accommodation, on their arrival at Upland, of the emigrants who no doubt accompanied them, the commissioners were instructed by Penn to make a careful examination, by sounding, of "the rivers and creeks," on his "side of the Delaware," especially "Upland," to ascertain "where most ships may best ride, of deepest draft of water." Their first attention would be naturally directed to Upland, but how far up the river this examination extended, is perhaps unknown. Tradition says that Pennsbury was at one time selected for the town. The commissioners, however, as is well known, determined otherwise, by fixing the present site between Delaware and Schuylkill. When this choice was made, we have no means of ascertaining, but we presume, from the extract of a letter on page 579, that it must have been early in the year. As we have shown already, this site was early granted by the court of Upland to several Swedes named Swenson, from whom it was purchased, or to whom other land was given in exchange for it. On the arrival of the surveyor-general, in June, he and the commissioners probably proceeded to lay off the ground into streets and lots, as nearly conformable to the general directions of Penn as possible; names were assigned to the streets different from those which they now bear, as, for instance, Mulberry was Holmes street, Chestnut, Winn street, Walnut, Pool street, &c.; and it is believed that the city itself received its present name about this time. These names were probably changed, and other alterations made, after Penn's arrival, which perhaps he alludes to, in his letter in 1683, when he says, "Philadelphia is at last laid out, to the general content of those here." The first residences of the settlers were caves dug into the river bank; in one of these, John Key was the first born child of English parents.

First born in
Philadel-
phia.

Distribution
of lots, &c.

On the 19th of 7th month, (September,) there was a distribution of lots on several streets, as we learn from a copy of a record furnished by a friend, from an original book of warrants and surveys, then in the Recorder's Office of this city, which, unfortunately for our present purpose, cannot now be found. It is a certificate placed in connection with

the names of the purchasers of Second street lots, No. 1 1682.
to 54: {

“These lots were drawn before us, this 19th of 7th month, 1682.—Signed, William Markham, Thomas Holme, William Haig, Griffith Jones.”

A similar certificate accompanies the drawing of Broad street lots, Fourth street lots, and Back street lots, &c.¹ The first house was commenced by George Guest, in Front street, near the dock, and was unfinished when Penn arrived.² Within less than a year thereafter, fourscore houses were erected.³

Claypoole says, “above fifty servants belonging to the so-
ciety are going away in a great ship for Pennsylvania; would
suppose it is this night in the Downs; it is about 500 tons,
called the Geoffrey, Thomas Arnold, master. William Penn,
and those friends in the Welcome, we hope may be half way
there. There have been divers false reports to discourage
people, as, of a ship from Bristol, with friends, being cast
away, and that Carolina was seized by the Spaniards.”

October 1.

Large ship
sails for
Pennsylva-
nia. Sixty
or seventy
servants,
and many
others on
board.

And two days later, he says, “Captain Arnold is in the
Downs. I have sent by him an honest man, to build a house
and plant an orchard, and clear some ground.” He wants two
negro men, and directs them to be sent “to John Goodson,
chirurgion to the Society of Traders, at Upland, in Pennsyl-
vania, or, in his absence, to Ralph Withers, to whom I have
given a letter of attorney to be deputy treasurer to the
society till my arrival.” “In the ship in the Downs is the
president of the society, with about sixty or seventy servants,
besides many other passengers. It is a great ship, near
500 tons, and never was at sea. We reckon there may be
near one thousand people gone this year.”⁴

October 3.

Penn, not many months after the death of his own mother,
was again afflicted by the decease of his wife's mother, Mary
Penington; she was to be buried on this day, 7th month, 21st,
of course after Penn's departure from England. Under this
date, Claypoole also, speaking of a servant whom he was
sending over, says, “I expect he should enter *upon my land*
where the first city is intended to be built.”⁵

¹ See Appendix.

² Proud, vol. i. p. 235.

³ The author hopes to avail himself of further information respecting the city, in his second volume, which want of space in the present precludes.

⁴ Claypoole's Letters.

⁵ Ibid.

1682. Thomas Dungan was commissioned, by the Duke of York, to be governor of New York.¹

November. About this time, the ship in which, as before stated, President Moore, sixty or seventy servants, and numerous other passengers left England, arrived in Pennsylvania, having had only twenty-nine days' passage. Another ship arrived about the same time, having been equally fortunate.²

November 3. After a prosperous passage of about two months, as Penn himself informs the "lords of plantations," he arrived on the 24th of October, which was for many years observed as the anniversary. But as a record of it at New Castle places it on the 27th there, the only way to reconcile the two appears to be, to suppose that he intended to speak of his arrival at the capes. On the passage, several were attacked with small-pox, and many died. Richard Townsend, who was a fellow-passenger, thus speaks of Penn's services: "his good conversation was very advantageous to all the company. His singular care was manifested in contributing to the necessities of many who were sick with the small-pox then on board, out of which company about thirty died." "We had many good meetings on board."

Deaths by small-pox on the passage.

November 7. The arrival of William Penn at New Castle is thus recorded:

Record of Penn's arrival. Taking possession of New Castle. "October 28—On the 27th day of October, arrived before the town of New Castle, in Delaware, from England, WILLIAM PENN, Esq., proprietary of Pennsylvania, who produced two certain deeds of feoffment from the illustrious prince, James, duke of York, Albany, &c., for this town of New Castle, and twelve miles about it, and also for the two lower counties, the Whorekills and St. Jones's, which said deeds bore date the 24th August, 1682; and pursuant to the true intent, purpose, and meaning of his royal highness in the same deeds, he the said William Penn received possession of the town of New Castle, the 28th of October, 1682."³

This proves that Penn, when he spoke of his arrival as on the 24th, must have intended his entrance into the bay or capes.

The following memorandum and certificates show the fact of delivery, and the ceremony by which it was attended:

"New Castle, the 28th October, 1682.—Memorandum,

¹ London Documents, vol. iv. p. 133.

² Claypoole's Letters.

³ New Castle "Old Records transcribed," p. 261.

that the day and year first above written, William Penn, Esq., by virtue of an instrument of indenture, signed and sealed by his royal highness, James, duke of York, &c., did then and there demand possession and seisin of John Moll, Esq., and Ephraim Harman, gentleman, (attorneys constituted by his royal highness,) of the town of New Castle, otherwise called Delaware, with twelve miles circle or compass of the said town; that the possession and seisin was accordingly given by the said attorneys to the said William Penn, according to the usual form, by delivery of the fort of the said town, and leaving the said William Penn in quiet and peaceable possession thereof, and also by the delivery of turf and twig, and *water and fowle¹ of the River Delaware*, and that the said William Penn remained in the peaceable possession of the premises, as witness our hands and seals, the day abovesaid, and when the words and *water and soyle of the River Delaware* were interlined before us. Signed, Thomas Holme, William Markham, Arnoldus de la Grange, George Forman, James Graham, Samuel Land, Richard Tugels, Joseph Curles, John Smith.”²

1682.
Certificate of witnesses to the delivery of New Castle,

The inhabitants of New Castle formally make the following pledge of obedience to Penn:

“We, underwritten, being inhabitants of the town of New Castle, upon Delaware River, having heard the indenture read made between his royal highness, James, duke of York and Albany, &c., and William Penn, Esq., governor and proprietor of the province of Pennsylvania, &c., wherein the said duke transferreth his right and title to New Castle, and twelve miles circle about the same, with all powers, and jurisdictions, and services thereunto belonging, unto the said William Penn, and having seen, by the said duke’s appointed attorneys, John Moll and Ephraim Harman, both of New Castle, possession given, and by our governor, William Penn, Esq., possession taken, whereby we are made subjects, under the king, to the said William Penn, Esq., we do hereby, in the presence of God, solemnly promise to yield to him all just obedience, and to live quietly and peaceably under his government. Witness our hands, this 28th day of October, Annoque 1682. Signed, Arnoldus de la Grange, J. de Haes, H. V. D. Brieth, William Simpill, John Holmes, Hendrick Lem-

And submission of the inhabitants.

¹ So in the record, but evidently intended for *soyle*.

² New Castle Records. Pea Patch Case, p. 21.

1682. } mons, Joseph Moore, James Parmes, Jonas Arskins, Giles Barrotts, Pieter Classen, Samuel Land.”¹

On the same day he appointed William Markham his attorney to receive from Moll and Harman possession of counties below New Castle, which was accomplished a few days afterwards.

November 7. One of Penn’s first acts, after taking possession, was to commission justices of the peace for New Castle. The original commission is preserved at Harrisburg, in the Land-Office, from which we have copied the following :

Penn’s commission to justices at New Castle, and their obligation.

“William Penn, Esq., proprietor and governor of Pennsylvania, New Castle, St. Jones, Whorekills, alias Deal, with their proper liberties :—I do, in the king’s name, hereby constitute and authorize you, John Moll, Peter Alricks, Johannes de Haes, William Simple, Arnoldus de la Grange, and John Cann, to be justices of the peace, and a court of judicature, for the town of New Castle, upon Delaware, and twelve miles north and west of the same, to the north side of Duck Creek, whereof any four of you shall make a quorum, to act in the said employment and trust, for the preservation of the peace and justice of the province, according to law, hereby willing and charging all persons within the said limits, to take notice hereof, and accordingly to yield you all due and just obedience in the discharge of the said trust. And this commission to be of force for the space of one whole year, or until further ordered. Given under my hand and seal, in New Castle, this 28th day of October, 1682. WILLIAM PENN.²

“For my loving friends, John Moll, Peter Alricks, Johannes de Haes, William Simple, Arnoldus de la Grange, and John Cann,” whose acceptance and obligation, signed by themselves, is also preserved, as follows :

“We, whose names are here subscribed, being by William Penn, Esq., proprietor and governor of the province of Pennsylvania and New Castle, &c., appointed justices of peace for the town of New Castle, upon Delaware, and twelve miles north and west of the same, to the north side of Duck Creek, do hereby, in the presence of God, declare and solemnly promise that we will, by the help of God, be just and true, and faithfully discharge our trust, in obedience to the same commission, and act therein according to the best of our under-

¹ New Castle Records. Patent-Book A 2, p. 121, Harrisburg.

² All of the signature, except a part of the flourish, torn off by some Vandal.

standings. Witness our hands and seals. Given at Delaware, the 28th October, 1682." [Signed by all of them.] 1682.

John Carver, and Mary his wife, came over with Penn; their daughter Mary, who married Isaac Knight, of Abingdon, is stated to have been "one of the first children born of English parents in Pennsylvania." Her birth is dated 28th of 8th month, 1682. In a printed memorial of her, it is said, "she was born in or near Philadelphia." If the date of her birth be correct, she must have been born on the day of Penn's landing at New Castle. Giles Knight and wife, and son Joseph, also came over with Penn.¹

From the following instructions, the original of which is in the Land-Office, it would appear, that on the next day after landing, Penn was at Upland, unless he dated the order as from that place while at New Castle, considering the former, for the time being, as his seat of government. The notice, at any rate, appears short, only three days before the meeting.

"Ephraim Harman—With my love, this is to desire thee to despatch away a messenger, upon receipt hereof, with the enclosed letters, to the several persons and places they are directed to, that so they may be at New Castle, at the court, the 2d of 9th month, in which thou wilt oblige thy loving and true friend,

WILLIAM PENN.

"Upland, 29th of 8th month, 1682.

"Salute me to thy wife and kind neighbours.

"Direct the enclosed letters and seal them. I will pay the messenger.

W. P."²

William Penn notifies William Clarke, Luke Watson, John Roads, John Avery, Hermanus Wiltbank, and Alexander Molestyn, of the deeds of feoffment; desires them "to meet him next Thursday at New Castle, (November 2,) where he intends holding a general court for settling jurisdiction of these and your parts, in which they will oblige him. If there be any persons of note, or others, that desire to be present, they may come freely."³

James Harrison, afterwards Penn's steward, and who became also a useful public man, having, on the 5th September, left Liverpool in the ship "Submission," Captain James Settle, in company with Phineas Pemberton, his son-in-law, and

¹ Smith's Pennsylvania, in Reg. Penns. vol. iii. p. 274.

² Copy from original in Land-Office at Harrisburg.

³ Sussex Records, Breviat.

1682.

Arrival of
James Har-
rison, Phi-
neas Pem-
berton, and
others.

their wives, children, and servants, and others, to the number of forty or fifty, (whose names are recorded in Bucks county,) arrived in Patuxent River, on the 30th October, where they were carried through the dishonesty of the captain, and much to their disadvantage. By the terms of their agreement, Settle was to receive £4, 5s. per head for each person over twelve years of age, and £2, 2s. 6d. for each under twelve years, and 30s. per ton for their goods, and was to proceed to the Delaware or elsewhere in Pennsylvania, to the best convenience of the freighters. Their goods were landed at Choptank, where Harrison and Pemberton left their families at the house of William Dickinson, to proceed by land to their place of destination, which was near the Falls of Delaware, in Bucks county. When they arrived at Philadelphia, such was the want of accommodation, that they were unable to procure accommodation for their horses, and were obliged to turn them into the woods to graze, and subsequently, after diligent search, were unable to find them again, and were compelled to proceed on their journey to the falls without them, by water. William Yardley, an uncle of Pemberton, had arrived before them, (September 28,) at the falls, taken up land, and commenced erecting a dwelling. Phineas concluded to settle there, and next spring purchased a tract of 300 acres, which he called "Grove Place," where they and their families did not arrive till May, 1683.¹

Settlement
in Bucks
county.

Agreeably to notice, a court was held at New Castle, at which the proprietary was present. The following are the proceedings:

Nov. 12.

"A court was held at New Castle, in the name of our sovereign lord, King Charles II. &c., and by the commission and appointment of William Penn, Esq., proprietary and governor of Pennsylvania, &c., Thursday, 2d November, in the 34th year of his majesty's reign, A. D. 1682.

First court
at New Cas-
tle.

"Present, Right Honourable Proprietary, and Captain William Markham; Mayor Thomas Holme, Mr. William Haigh, Mr. John Simcock, Mr. Thomas Brazie, of the council; John Moll, John de Haes, William Simpill, Arnoldus de la Grange, John Cann, justices. [See commission, October 28, 1682.]

"The right honourable proprietary, William Penn, by his public speech, directed to the inhabitants in general, did in

¹ MSS. Biographical Sketch, by W. Carr, of Doylestown, prepared from reliable sources.

1682.

Penn's
speech, con-
tinued.

open court declare that he had appointed and called this court chiefly to signify and declare unto them, in a more public manner, First, that it had graciously pleased the illustrious prince, James, duke of York and Albany, &c., to give and grant unto him this town of New Castle and its precincts, with the counties of St. Jones and Whorekills, downwards, and therefore he was resolved, for the encouragement of all the inhabitants thereof, and for the better settlement, quiet, and satisfaction of them, first to state and settle their lands and possessions, and therefore he willed and desired them to bring in at the next court to be held within the town of New Castle, all their patents, surveys, grants, and claims, which they had to their lands, livings, tenements, and possessions, promising to ascertain, adjust, and confirm not only those as had a sufficient title and right, but also those as yet wanted a certain right to the same, so far forth as equity, justice, and reason could require.

“Second, the proprietary recommended to the magistrates, and desired them to take inspection, view, and look over their town-plots, to see and find out what vacant room may be found therein for the accommodating and settling of newcomers, traders, and handicraftsmen therein, and for the general and public good, and encouragement of the place and parts, of which he desired that an account might be given him.

“Thirdly, that if any person had requests or petitions to present to him, he willed them to do it, for an answer at the next court day.

“Fourthly. In regard that for want of a present assembly, there are not as yet fitting laws, regulations, orders, and by-laws for the country provided, he, the proprietary, therefore recommended the magistrates, in the interim, to follow and take the laws of his royal highness, provided for the province of New York, for their guide, so far forth as they are consistent, and not repugnant to the laws of England, assuring the inhabitants of this and the other two counties downwards, that they should have and enjoy, full and equal, the same privileges with those of the province of Pennsylvania, and that for the future they should be governed by such laws and orders as they themselves, by their deputies and representatives, should consent to, and that he would call an assembly for the purpose, as soon as conveniently might be, &c.

1682. "The court adjourned till first Tuesday of December
 { next." ¹

Nov. 17. In obedience to the power given by Penn to William Markham, to receive for him possession of that part of the territories south of New Castle, delivery was made to him this day, agreeably to the following certificate from numerous witnesses:

Delivery of
the territory
below New
Castle. "Whereas, his royal highness, James, duke, &c., by one indenture bearing date the 24th day of August, in the 34th year of his majesty's reign, 1682, hath empowered and authorized John Moll, of town of New Castle, esquire, and Ephraim Harman, of same place, gentleman, to deliver possession unto William Penn, Esq., of all that part of Delaware River and Bay, from twelve miles distance from the town of New Castle, downward as far as Cape Henlopen, which his said royal highness, by the said deed first above mentioned, hath been pleased, upon certain conditions therein mentioned, to give and grant unto the said William Penn, Esq., as by the said indenture and deed, bearing date as above, respect being thereunto had, may more at large appear. And whereas the said William Penn, Esq., hath, by his letter of attorney, bearing date the 28th of October last past, empowered and authorized Captain William Markham, of Upland, late deputy governor of the province of Pennsylvania, his true and lawful attorney, for him and in his name, but to his sole use and behoof, to demand and receive of the said John Moll and Ephraim Harman, as attorneys constituted by his said royal highness as aforesaid, delivery of possession of all the said tract of land on Delaware River and Bay, beginning twelve miles south of the town of New Castle, and extending south to the Whorekills, otherwise Cape Henlopen, as aforesaid, and these are therefore to testify and declare unto all whom these presents may concern, that we whose names are here underwritten, on the day of the date thereof, have been present and seen that the said John Moll and Ephraim Harman, in pursuance of his royal highness's command, and by virtue of the power given them by and in the first above-mentioned instrument of indenture, bearing date as above, have given and delivered actual possession unto the said Captain William Markham, to the sole use and behoof of the said William Penn, of part in the name of the whole of the

¹ New Castle Records, pp. 268, 269.

land, soil, and premises in the said instrument of indenture mentioned, and according to the true intent and meaning of his said royal highness, mentioned in the same. Witness our hands, on Delaware River, this 7th of November, in the 34th year of his majesty's reign, A. D. 1682.

"Signed, Luke Watson, William Clark, Francis Whitwels, John Hylliard, Norton Claypoole, John Vines, Alexander Molestyn,¹ John Hill, Helmanus Wiltbank, Alexander Draper, Samuel Gray,¹ Edward Cantwell, John Avery.

"Memorandum. The word 'soil' interlined in the original, before signing."²

"A writ," under Penn's hand and seal, to Peter Bancomb, the sheriff of Jones county, requires him to summon all freeholders to meet on 20th instant, and elect out of themselves seven persons of most note for wisdom, sobriety, and integrity, to serve as their deputies and representatives in general assembly, to be held at Upland in Pennsylvania, December 6th next, and then and there to consult with him for the common good of the inhabitants of that province, and adjacent counties of New Castle, St. Jones, and Whorekill, alias Deal, under his charge and jurisdiction, and true return to make to William Penn.

Nov. 18.

Writ to call
a court at
New Castle,
on 20th.

Same day he appoints John Vines sheriff of Whorekill, alias Deal, and directs him to hold an election for seven representatives.³ Similar notices were issued to the other counties.⁴

Sheriff appointed.

There is no date to the following document, the original of which is in the Land-Office, though the tenor of it indicates the period to have been between the issuing of the order for the election of council and assembly, and the time of meeting. It is a petition assigning their reasons for not choosing as many representatives as required, from ten inhabitants of Chester county, several of whose names cannot be deciphered:

"To William Penn, proprietary and governor of the province of Pennsylvania, and territories thereof.—The petition of the freeholders of the county of Chester, respectfully sheweth, That in obedience to the writ sent to our sheriff, we have chosen twelve persons for our delegates to serve in the

¹ Made their marks.

² New Castle Records. Patent-Book A., No. 2, pp. 120, 121. Pea Patch Case.

³ Sussex Records, in Breviat.

⁴ See that for Bucks County, in Proud, vol. i.

1682.

Petition of
Chester
county that
12 only may
serve in
council and
assembly, on
account of
the small
number of
inhabitants.

provincial council, but considering that the numbers of the people are as yet small, and that we have but few fit for or acquainted with such public business, and also that we are unable to support the charge of greater elections and assemblies. After our humble acknowledgments of the favour intended us therein, we take leave humbly to request that three of the twelve which we have chosen may serve for provincial councillors, and the other nine for the assembly, which provincial councillors are John Simcox, for three years, Ralph Withers for two years, and William Clayton for one year, leaving it to thee to increase the number, as occasion shall serve, hereafter."

[The following appear to be original signatures—James Browne, William Woodmancy, William Gross, Robert Randall, Robert Yarnall, John Sharpless, Albert Hendrickson, and three others.]

[These being all in the same handwriting, are probably the nine for assembly—Joshua Hastings, Nathaniel Evans, Joseph Richards, Walter Martin, Thomas Minshall, William Rawson, John Martin, James Kennedy, Wm. Clayton, jun.]

Nov. 18.

Friends'
meetings ori-
ginally held
at Thomas
Fairman's.

"At a monthly meeting, the 8th of 9th month, 1682: at this time Governor William Penn, and a multitude of Friends arrived here, and erected a city called Philadelphia, about half a mile from Shackamaxon, where meetings, &c. were established, &c. Thomas Fairman, at the request of the governor, removed himself and family to Tacony, where there was also a meeting appointed to be kept, and the ancient meeting of Shackamaxon removed to Philadelphia, from which meeting, also, other meetings were appointed in the province of Pennsylvania."¹ "This goes to prove," says Watson, "that the Friends' meetings were originally held at Shackamaxon, at the house of Thomas Fairman."²

Nov. 19.

Market esta-
blished at
New Castle.

At a meeting of the deputy governor and justices in New Castle, on a commission directed to them by the proprietary, "touching the keeping a weekly constant market," it was resolved, "that Saturday, the 18th instant, shall be the first market-day, to be continued on every future Saturday, for this town, when all persons are desired to repair with their commodities to the fort in the market-place, at present appointed for the same, and that the sheriff shall proclaim the

¹ Abingdon Minutes, quoted by Watson, vol. i. p. 140.

² Watson, *ibid.*

same to begin at 10 o'clock in the morning, and continue till 4 o'clock, P. M."¹ 1682.

Immediately after Penn's arrival, he despatched two persons to Lord Baltimore, "to ask of his health, offer kind neighbourhood, and agree upon a time the better to establish it." While they were gone, he went to New York, to pay his "duty" to the duke, in the visit to his government and colony,² from which he returned towards the end of this month.

November.
Penn's visit
to New
York.

The province was divided into three counties, Philadelphia, Bucks, and Chester, and the territories into New Castle, Jones, and Whorekills, alias Deal. The names of the two last were, towards the close of the year (December 25) again changed; Deal to Sussex, and Jones to Kent, and Penn directed that Cape Henlopen be called Cape James.³

Penn, upon his arrival at Upland, changed its name, as thus related by Clarkson: "This was a memorable event, (alluding to his calling an assembly there,) and to be distinguished by some marked circumstance; he determined, therefore, to change the name of the place. Turning round to his friend Pearson, one of his own society, who had accompanied him in the ship *Welcome*, he said, 'Providence has brought us here safe; thou hast been the companion of my perils; what wilt thou that I should call this place?' Pearson said, 'Chester, in remembrance of the city from whence he came.' William Penn replied, that it should be called Chester, and that when he divided the land into counties, he would call one of them by the same name also."⁴

Upland
changed to
Chester.

A. Brockholls, deputy governor of New York, issues a declaration to the justices of the three lower counties. After reciting the two deeds of feoffment to Penn from the Duke of York, and the appointment of Moll and Harman as attorneys to deliver possession, says, "and we being fully satisfied (after seeing the indentures) of the said William Penn's right to the possession and enjoyment of the premises, have therefore thought fit and necessary to signify and declare the same to you, to prevent any doubt or trouble that might arise or accrue, and to give you our thanks for your good services done in your several offices and stations, during the time you remained under his royal highness's government, expecting no further account than that you readily submit and yield all

December 1.
Declaration
of command-
er and coun-
cil of New
York, in fa-
vour of Penn.

¹ New Castle Records, p. 270.

² Penn's Letter to Lords of Plantations.

³ Sussex Records, in Breviat.

⁴ Clarkson, vol. i. p. 259.

1682. due obedience and conformity to the powers granted to the said William Penn, in and by the said indentures, in the performance and enjoyment of which we wish you all happiness. New York, 21st November, 1682.”¹

Before the receipt of this, as we have seen, Penn was in possession.

December 1. John Moll, one of the commissioners to deliver possession, having accomplished the duty assigned him and Harman by the duke, drew up the following account of the whole transaction :

Moll's account of the transactions of the delivery of New Castle to Penn.

“These are to certify all whom it may concern, that William Penn, Esq., proprietary and governor of the province of Pennsylvania, and the territories thereunto belonging, at his first arrival from England, by the town of New Castle, upon Delaware, in the month of October, 1682, did send then and there one messenger ashore to give notice to the commissioners of his desire to speak with them aboard ; I being then left the first in commission, by Sir E. Andross, governor-general under his royal highness, James, duke of York and Albany, &c., of all his territories in America, did go aboard with some more of the commissioners, at which time Esquire Penn did show me two sundry indentures or deeds of enfeoffment from under the hand and seal of his royal highness, granted unto him, both bearing date the 28th day of August, Anno 1682, the one for the county of New Castle, with twelve miles distance north and south thereunto belonging, and the other beginning twelve miles below New Castle, and extending south unto Cape Henlopen, together with the mills and waters of said river, bay, rivulets, and islands thereunto belonging ; and underneath both which said indentures or deeds of enfeoffment, were added, by his royal highness, letters of attorney directed unto me and Ephraim Harman, deceased, with full power and authority for to give, in his royal highness's name, unto said William Penn, Esq., quiet and peaceable possession of all what was inserted in the said indentures, as above briefly specified ; that the said Ephraim Harman happened to be gone from home, so that he was not at the time aboard with me, of the said ship ; I therefore did desire from Esquire Penn twenty-four hours' consideration, for to communicate with the said Harman and the rest of the commis-

¹ See it at length, in Reg. Penns. vol. iii. p. 33. New Castle Records. Patent-Book A. 2, pp. 117, 118, Harrisburg.

sioners about the premises, in which compass of time we did unanimously agree to comply with his royal highness's orders. Whereupon, by virtue of the power given unto us by the above-mentioned letters of attorney, we did give and surrender, in the name of his royal highness, unto him the said William Penn, Esq., actual and peaceable possession of the fort of New Castle, by giving him the key thereof, to lock upon himself alone the door, which being opened by him again, we did deliver also unto him one turf, with a twig upon it, a porringer with river water and soil, in part of all what was specified in the said indenture or deed of enfeoffment from his royal highness, and according to the true intent and meaning thereof; and a few days after that, we went to the house of Captain Edward Cantwell, at the south side of Appoquinimy Creek, by computation above twelve miles distance from the town of New Castle, as being part of the two lower counties here above mentioned and specified in his royal highness's other indenture or deed of feoffment, and after we had shown unto the commissioners of these counties the power and orders given unto us as aforesaid, we asked them if they could show us any cause why and wherefore we should not proceed to act and do there as we had done at New Castle, and finding no manner of obstruction, we made, then and there, in his royal highness's name, the same manner and form of delivery as we had done at New Castle, which acting of us was fully accepted and well approved of by Anthony Brockholls, then commander-in-chief, and his council at New York, as appears by their declaration bearing date the 21st of November, 1682, from which jurisdiction we had our dependence all along, ever since the conquest, until we had made the above-related delivery unto Governor William Penn, by virtue of his royal highness's orders and commands, &c.

JOHN MOLL.¹

On Penn's arrival from New York, he found his messengers returned from Maryland, and the time fixed for meeting Lord Baltimore the 19th December.

Agreeably to the summons, an assembly met on the 4th of December, at Chester. We have not the names of all the members. Christopher Taylor, of Bucks; President Moore, Philadelphia; John Simcock, Chester; William Clark, Deal; Francis Whitwell, Jones's; Griffith Jones, Luke Watson, William Sample, William Yardly, Thomas Brassy, John

1682.

Moll's account, continued.

Penn returns from New York.

Dec. 14.

First assembly meets at Chester.
First day's proceedings.
Committees appointed.

¹ Recorder's Office, New Castle, Record B. 9, pp. 407—412.

1682. Briggs, Ralph Withers, are mentioned on the first day, as on committees of election and privileges, and a committee "for justice and grievances" was appointed, the former to meet at 8 o'clock, A. M.; N. Moore was appointed its chairman next day, who is generally mentioned as the president of the assembly also, though the minutes, as inserted in the "Votes of Assembly," make no mention of it.

Dec. 15.

Second day's
proceedings.
Contested
election.

Rules and
regulations
adopted by
the house.

At a meeting of the assembly, the speaker having taken the chair, the chairman of the committee of privileges and elections reported, "that Abraham Man and his party had made some illegal procedure the day of election at New Castle, that he might be elected a member of the house, the sheriff of New Castle having been previously called to account by the committee, for undue electing a member." The house, after hearing witnesses, declare John Moll to be duly elected. A committee of "foresight, for the preparation of provincial bills," was appointed out of the above two committees, viz. John Simcock, Christopher Taylor, William Clark, N. Moore, Griffith Jones, and Luke Watson. A committee was then appointed to be sent to the governor, "humbly to desire him to honour the house with a transmission of his constitutes," ("supposed to be the written constitution or proposed laws,") viz. Thomas Holme, surveyor-general, William Clark, Thomas Winn, and Edward Southrin. The governor replied, "they were not ready, but when ready he would send them by one of his servants." There was then a debate on fines upon delinquents, and the governor's power, by 6th article of "Charter of Methods," agreed to reprove offending members for first offence; for second, reproof and fine of 12*d.*, and so on for each, not to exceed 10*s.*; offenders to be brought to the bar. The whole house may resolve itself into a grand committee. No member to absent himself on a journey without leave. No question to be taken on a resolution "before seconded or thirded," when the matter may be discussed, and amendments made. All questions to pass in negative or affirmative. Any member presuming "to pervert the sense of questions agreed to by the house," shall be "put out of the house." Thos. Usher, sheriff of Chester, has leave of absence for two days. "Two members elected to inspect which party carried it by the major votes, on diversity of votes arising in the house." In case of tie, speaker to have a casting vote. In a matter in debate, if the question arise,

1682.

Proceedings
of the as-
sembly, con-
tinued.

“whether the house now proceed or not,” on division, the noes go out; if for adjournment, the yeas. “None to speak but once before the question is put, nor after but once.” No member, in any discourse, to mention the name of another member, but as “that member that last or lately spoke,” only a member may be used by his office or sitting in a certain place, as “near the chair,” &c. None to fall from the matter to the person, and superfluous and tedious speeches may be stopped by the speaker. When the speaker leaves the chair, in grand committee, a chairman to be elected; when discharged, the speaker to resume his seat, and the chairman of grand committee to report in writing. The grand committee never to adjourn without consent of the house. “No other committee to determine the right or property of the subject without leave of the house.” “No private committee can alter a question agreed upon among themselves, without consent of the house.” “Any member may have access to any committee, except committee of secrecy.” Charter of order. Bills at committees to be considered by parts, preamble last. Bills not to be blotted, but mended in other papers, and voted singly. No erasures or interlineations. Clerk to read bills, then deliver to speaker, who, standing with bill in hand, reads title; this “the first reading; no member to speak till second reading, unless to cast it out.” “If exceptions to a bill be not mendable at the table, then committed, but no bill without exceptions committed; if not committed or rejected, then engrossed.” He “that is against the body of a bill shall not be on a committee about that bill.” No private bill to be introduced without leave; public bills, the matter to be opened before brought into the house. “No bill to repeal a law to be introduced without leave. Bills amended to be engrossed, but first in a full house; title endorsed on the back. Any member may offer any bill tending to public good, except for levying taxes.” “Any law, &c., constituted by a committee, shall not be in force except established by the whole house.” “A member speaking shall direct his discourse to the speaker, and stand up, that all may see him,” and shall “have liberty in his speech, without interruption from any member.”

The speaker inquired “whether any absolute note of distinction betwixt one officer and another should be concluded

1682. on by a vote, as the carrying a white rod or reed." Left in
 { suspense.

Third day's
 proceedings.
 Petition pre-
 sented from
 three lower
 counties for
 a union.

"A petition is presented for an act of union betwixt the freemen of the three lower counties, New Castle, Jones, and New Deal, and the freemen of the province of Pennsylvania, that as one united province, they may be endowed with the same privileges of law and government." This petition was accepted and approved of by the whole house. John Moll and Francis Whitwell, two members, delivered the aforesaid petition in the name of the rest of the freeholders, the names of several freeholders of the three aforesaid counties being subscribed.¹

The petition
 for union.

This is probably that petition; it was signed by seven persons from New Deal, six from St. Jones's, and five from New Castle: "humbly desiring that they may be favoured with an act of union, by the governor and assembly, for their incorporation in and with the province of Pennsylvania, in order to the enjoyment of all the rights and privileges of the aforesaid province, and that they might ever after be esteemed and accounted as freemen of the before-mentioned province. This being our desire and humble request in the assembly, we have desired the president and two other members of the upper counties, part of this province, to present it to your honours, and if we are so happy to obtain our request, we will for ever acknowledge it, and in all faithfulness subscribe ourselves yours in all lawful obedience."²

"An act for the aforesaid union, (authorized by the governor,) was twice read, and being put to vote, was carried in the affirmative."

"The act was read a third time, which afterwards, by the assent of the whole house, was appointed to be presented to the governor by the hands of the president and Christopher Taylor, two members of the house, in order to get his subscription as an established law, which the governor confirmed."

"A petition to the governor from the Swedes, Finns, and Dutch, is presented, that the governor would be pleased to make them as free as other members of this province, and that their lands may be entailed on them and their heirs for ever."

The remainder of this day's session was occupied chiefly with "the printed laws, and the written laws or constitutions,"

¹ Votes of Assembly.

² Breviat.

which were taken up and discussed separately, and after being altered or amended, finally adopted, when the assembly adjourned to half-past seven next day. The "power of the Free Society of Traders was also debated;" the result is not given. 1682.

They met again, December 7th: "The governor assuming the chair, expresses himself after an obliging and religious manner," and after signing "the bills for naturalization and union, &c., delivered them to the speaker as his act and deed." The president consults the governor on "divers material concerns." The governor then "urges upon the house his religious counsel." "A debate arising," as to the time of adjournment of the house, "the president endeavours to mitigate," and "to affect the people with the governor's condescension, and that after a divine manner." The members of the lower counties "were in a great strait, by reason of being obliged to assemble again in twenty-one days." Two members are appointed to inform the governor of it, who return with intelligence that the governor is willing that the assembly adjourn for twenty-one days, which was done, by order of the speaker." [We have seen no account of this meeting, if it took place.] Dec. 17. Proceedings of assembly, continued.

Thus terminated the session of the first assembly, having, besides the act of union, and the act of settlement, or new constitution, passed, in little more than three days, the celebrated body of laws called the "Great Law."

The following is the act of union and naturalization, which, though generally spoken of as two distinct enactments, appear to be embraced in one act:

"*An Act of Union for annexing and uniting of the counties of New Castle, Jones's, and Whorekill, alias Deal, to the province of Pennsylvania, and of naturalization of all foreigners in the province and counties aforesaid.*—Since, by the good providence of God, it hath graciously pleased King Charles II. of England, &c., for divers good considerations, to grant, by his letters-patent, under the great seal of England, to William Penn, son and heir of Sir William Penn, deceased, and to his heirs and assigns for ever, this province of Pennsylvania, according to the bounds therein expressed, with all requisite powers for the good government thereof, by such laws as he and they shall make, by and with the advice and consent of the freemen of the said province, or their

Act of union between Pennsylvania and the territories.

1682. } deputies, not repugnant to their faith and allegiance, and the legal government of the said realm; and it having also favourably pleased James, duke of York and Albany, earl of Ulster, &c., to release his right and claim to all and every part thereof unto the said William Penn, his heirs and assigns, whereby the said William Penn is become the undoubted and rightful proprietary and governor of the province of Pennsylvania, and is hereby fully and freely so recognised and acknowledged, and is a beneficial and requisite addition to the territory of the said proprietary and governor, it hath also pleased the said James, duke of York and Albany, earl of Ulster, &c., for divers good considerations, to grant unto the said William Penn, and his heirs and assigns, all that tract of land from twelve miles northward of New Castle, on the River Delaware, down to the south cape, commonly called Cape Henlopen, and by the proprietary and governor now called Cape James, lying on the west side of the said river and bay, formerly possessed by the Dutch, and bought by them of the natives, and first surrendered, upon articles of peace, to the king's lieutenant-governor, Colonel Nicholls, and a second time to Sir Edmund Andross, lieutenant-governor to the said duke, and hath been by him quietly possessed and enjoyed, as also the said River of Delaware, and soil thereof, and all islands therein, lately cast into three counties, called New Castle, Jones's, and Whorekill, alias Deal, together with all royalties, powers, and jurisdictions thereunto belonging, as by two deeds of feoffment, bearing date the 24th of the 6th month, called August, 1682, doth more at large appear. And forasmuch as there must always be a people before there can be a government, and that people must be united and free, in order to settle and encourage them, for the prosperity of the government; and since the inhabitants of the tract of land lately passed from the duke as aforesaid, are not yet thereby under the same capacity that those are that belong to the province of Pennsylvania; and whereas the freemen of the said counties have, by their deputies, humbly besought their present proprietary and governor to annex the said counties to the province of Pennsylvania, and to grant unto them the same privileges, and that they may live under the same laws and government that the inhabitants of the said province now do, or hereafter shall enjoy, and since the union of the two distinct people that are under one governor, is

Act of union,
continued.

1682.

Act of union,
continued.

both most desirable in itself, and beneficial to the public, and that it cannot be so cordially and durably maintained, to the mutual benefit of each other, as by making them equally sharers in benefits and privileges, be it enacted by the proprietary and governor aforesaid, by and with the advice and consent of the deputies of the freemen of the province and counties aforesaid, in assembly met, that the counties of New Castle, Jones's, and Whorekills, alias Deal, shall be annexed, and by the authority aforesaid, are hereby annexed unto the province of Pennsylvania, as of the proper territory thereof, and the people therein shall be governed by the same laws, and enjoy the same privileges, in all respects, as the inhabitants of Pennsylvania do or shall enjoy, from time to time therein, any thing in this law, or any other law, act, or thing, in this province, to the contrary in anywise notwithstanding. And forasmuch as it is apparent that the just encouragement of the inhabitants of this province and territories thereunto belonging, is likely to be an effectual way for the improvement thereof, and since some of the people that live therein, and are like to come thereto, are foreigners, and so not freemen, according to the acceptation of the law of England, the consequences of which might prove very detrimental to them in their estates and traffic, and so injurious to the prosperity of this province and territories thereof, be it enacted by the governor and proprietary of the province and counties aforesaid, by and with the consent of the deputies of the freemen thereof, in assembly met, that all persons who are strangers and foreigners, that do now inhabit this province and counties aforesaid, that hold land in fee in the same, according to the law of a freeman, and who shall solemnly promise, within three months after the publication hereof, in their respective county courts where they live, upon record, faith and allegiance unto the King of England, and his lawful heirs and successors, and fidelity and lawful obedience to William Penn, proprietary and governor of these provinces, &c., and his heirs and assigns, according to the king's letters-patent, shall be held and reputed freemen of the province and counties aforesaid, in as ample and full manner as any person residing therein; and it is hereby further enacted by the authority aforesaid, that when at any time any person that is a foreigner shall make his request to the proprietary of this province, for the aforesaid freedom, the said person shall be admitted on the

Act of naturalization.

1682. conditions herein expressed, paying, at admission, twenty shillings sterling, and no more, any thing in this law, or any other law, act, or thing in this province, to the contrary in anywise notwithstanding.

Act of union,
continued.

“Given at Chester, alias Upland, the 7th day of December, 1682, under the hand and broad seal of William Penn, proprietary and governor of this province and the territories thereunto belonging, being the second year of his government, by the king’s authority. WILLIAM PENN.”¹

Confirma-
tion of the
act of union?

In connection with this document, the following is inserted: it is a copy made from an apparently original instrument, which the author found in the Secretary of State’s Office, at Harrisburg, written on parchment. It is endorsed “An act of union for annexing the counties of New Castle, Jones, and Whorekill, alias Deal, and the province, to be as a proper territory thereto belonging.” It bears the same date as the above act, and its language is very similar, and in several parts exactly the same. It does not embrace the act for naturalization. Whether it is Penn’s authority to the assembly, alluded to in their proceedings, or the confirmation of the act of union, is uncertain; if either, it is probably the latter, judging from its date. We have never seen it in print. The words, “by the king’s authority,” are written in a different hand from the rest.

“Forasmuch as all that tract of land lying on the west side of the River Delaware, beginning from twelve miles above New Castle, upon said river, northward, and extending to the south cape, commonly called Cape Henlopen, making the mouth of the Bay of Delaware, of late divided into three counties, and called by the names of New Castle, Jones, and Whorekill, alias Deal, with their appurtenances, and the jurisdiction and royalties thereunto belonging, are granted to William Penn, proprietary and governor of Pennsylvania, and his heirs and assigns for ever, by James, duke of York and Albany, &c., as by two deeds of feoffment, dated the 24th August, 1682, more at large appears. And whereas the freemen of the said counties have, by their deputies, humbly besought the present proprietary and governor to annex the said counties to the province of Pennsylvania, and to grant unto them the same privileges, and that they may live under the same laws and government that the inhabitants of said

¹ Reg. Penns. vol. i. p. 430.

1682.

province now do, or hereafter shall enjoy; and since the union of two distinct people, that are under one government, is both most desirable in itself, and beneficial to the public, and that it cannot be so cordially and durably maintained, to the mutual benefits of each other, as by making them equally sharers in benefits and privileges, be it enacted by the proprietary and governor aforesaid, by and with the advice and consent of the deputies of the freemen of the province and counties aforesaid, in assembly met, that the counties of New Castle, Jones, and Whorekill, alias Deal, shall be annexed, and by the authority aforesaid, are hereby annexed unto the province of Pennsylvania, as of the proper territory thereof, and the people therein shall be governed by the same laws, and enjoy the same privileges in all respects, as the inhabitants of Pennsylvania do or shall enjoy, from time to time therein, any thing in this law, or any other law, act, or thing in this province to the contrary in anywise notwithstanding. Given at Chester, alias Upland, this 7th day of December, 1682, being the second year of the government of William Penn, proprietary and governor of Pennsylvania, *by the king's authority.*

WILLIAM PENN."

Penn, in a letter, shortly after, says, that the act of naturalization "much pleased the people." "The Swedes, for themselves, deputed Lacy Cock to acquaint him, on one occasion, that they would love, serve, and obey him with all they had, declaring it was the best day they ever saw."¹

The following document, termed the "act of settlement," Dec. 17. is without date, but is generally considered as of the same date as the act of union, though it does not appear to be distinctly referred to, unless included in the terms "written laws or constitutions," of which the governor promises to send "the original." The object seems to be to provide for certain difficulties arising from the "fewness" of the inhabitants, which rendered it impracticable to form so large an assembly as first proposed, by which their acts would otherwise be invalidated.

"Act of Settlement made at Chester, 1682.—Whereas, The act of settlement. William Penn, proprietary and governor of the province of Pennsylvania and territories thereunto belonging, hath, out of his great kindness and goodness to the inhabitants thereof, been favourably pleased to give and grant unto them a char-

¹ Clarkson. Proud.

1682. { ter of liberties and privileges, dated the 25th of the 2d month, 1682, by which charter it is said, the government shall consist of the governor and freemen of the said province, in the form of a provincial council and general assembly; and that the provincial council shall consist of seventy-two members, to be chosen by the freemen, and that the general assembly may, the first year, consist of the whole body of the freeholders, and ever after of an elected number, not exceeding two hundred persons, without the consent of the provincial council and general assembly; and such assembly to sit yearly, on the 20th day of the 3d month, as in the 1st, 2d, 3d, 6th, 14th, and 16th articles of the charter, reference being thereunto had, doth more at large appear.

The act of
settlement,
continued.

“And forasmuch as this charter was the first of those probationary laws that were agreed to and made by and between the proprietary and governor, and freemen, in England, that were purchasers in this province, which said laws, in the whole and in every part thereof, were to be submitted to the explanation and confirmation of the first provincial council and general assembly that was to be held in this province, as by the title and first law of the said agreement doth plainly appear.

“And whereas the proprietary and governor hath, according to that charter, issued out writs to the respective sheriffs of the six counties of this province, to summon the freemen thereof, to choose in each county twelve persons of most note for their sobriety, wisdom, and integrity, to serve in provincial council, and also to inform the freemen that they might come, for this time, in their own persons, to make up a general assembly according to charter. And that the said respective sheriffs, by their returns, have plainly declared, that the fewness of the people, their inability in estate, and unskilfulness in matters of government, will not permit them to serve in so large a council and assembly, as by the charter is expressed, and therefore do desire, that the members now chosen to be their deputies and representatives may serve both for provincial council and general assembly; that is to say, three out of each county for the provincial council, and the remaining nine for the general assembly, according to act, as fully and amply as if the said provincial council and general assembly had consisted of the said numbers of members mentioned in the charter of liberties, upon consideration of the pre-

mises; and that the proprietary and governor may testify his great willingness to comply with that which may be most easy and pleasing, he is willing that it be enacted: 1682.

“And be it enacted by the proprietary and governor, by and with the unanimous advice and consent of the freemen of this province and territories thereunto belonging, in provincial council and general assembly met, that the numbers desired by the inhabitants in their several petitions, and expressed to be their desires by the sheriff’s returns to the proprietary and governor, to serve as the provincial council and general assembly, be allowed and taken, to all intents and purposes, to be the provincial council and general assembly of this province, and that the quorum shall be proportionably settled, according to the method expressed in the fifth article, that is to say, two-thirds to make a quorum in extraordinary cases, and one-third in ordinary cases, as is provided in the said fifth article; which said provincial council and general assembly so already chosen, are and shall be held and reputed the legal provincial council and general assembly of the province and territories thereof, for this present year, and that from and after the expiration of this present year, the provincial council shall consist of three persons out of each county as aforesaid; and the assembly shall consist of six persons out of each county; which said provincial council and general assembly may be hereafter enlarged, as the governor and provincial council and assembly shall see cause, so as the said number do not, at any time, exceed the limitations expressed in the third and sixteenth articles of the charter, any thing in this act, or any other act, charter, or law, to the contrary in anywise notwithstanding.

The act of
settlement,
continued.

“And because the freemen of this province and territories thereof, are deeply sensible of the kind and good intentions of the proprietary and governor in this charter, and of the singular benefit that redounds to them thereby, and are desirous that it may in all things best answer the design of the public good, the freemen of the said provincial council and general assembly met, having unanimously requested some variations, explanations, and additions, in and to the said charter, he, the proprietary and governor, hath therefore yielded that it be enacted,

“And it is hereby enacted, that the time for the meeting of the freemen of this province and territories thereof, to

1682.
 {
 The act of
 settlement,
 continued.

choose their delegates to represent and serve them in provincial council and general assembly, shall be yearly, hereafter, on the tenth day of the first month; which members so chosen for the provincial council shall make their appearance, and give their attendance in provincial council, within twenty days after their election; and the said members elected to serve in general assembly, shall yearly meet and assemble on the tenth day of the said third month, to the end and purposes declared in the charter, and in such place as is limited in the said charter, unless the governor and provincial council shall, at any time, see cause to the contrary.

“And whereas it is expressed in the said charter, that the governor and provincial council shall prepare and propose to the general assembly all bills which they shall think fit to pass into laws, within the said province: be it enacted by the authority aforesaid, that the governor and provincial council shall have the power of preparing and proposing to the general assembly, all bills that they shall jointly assent to and think fit to have passed into laws, in the said province and territories thereof, that are not inconsistent with, but according to the powers granted by the king’s letters-patent to the proprietary and governor aforesaid, which bills shall be published in the most noted towns and places in the said province and territories thereof, twenty days before the meeting of the general assembly aforesaid.

“And for the better decision and determination of all matters and questions upon elections of representatives, and debates in provincial council and general assembly, it is hereby declared and enacted, &c., that all questions upon elections of representatives, and debates in provincial council and general assembly, in personal matters, shall be decided by the ballot; and all questions about preparing and enacting laws, shall be determined by the vote.

“And that so united an interest may have an united term and style to be expressed by, it is hereby declared and enacted, that the general assembly shall be henceforth termed or called ‘The Assembly,’ and the meeting of the governor, provincial council, and assembly, and their acts and proceedings, shall be styled and called ‘The meetings, sessions, acts or proceedings of the General Assembly of the province of Pennsylvania, and the territories thereunto belonging.’ And that the freemen of this province and the territories thereof,

may not, on their part, seem unmindful or ungrateful to their proprietary and governor, for the testimony he hath been pleased to give of his great good will towards them and theirs, nor be wanting of that duty they owe to him and themselves, they have prayed leave hereby to declare their most hearty acceptance of the said charter, and their humble acknowledgments for the same, solemnly promising that they will inviolably observe and keep the same, except as is herein excepted, and will neither directly nor indirectly contrive, propose, enact, or do any thing or things whatsoever, by virtue of the power thereby granted unto them, that shall or may redound to the prejudice or disadvantage of the proprietary and governor, his heirs and successors, in their just rights, properties, and privileges, granted to him and them by the king's letters-patent, and deeds of release and feoffment made to him by James, duke of York and Albany, &c., and whom they desire may be hereby acknowledged and recognised the true and rightful proprietaries and governors of the province of Pennsylvania and territories annexed, according to the king's letters-patent, and deeds of release and feoffment from James, duke of York and Albany, unto the said proprietary and governor, his heirs and successors, any thing in this act, or any other act, grant, charter, or law, to the contrary of these things herein and hereby explained, altered, limited, promised, declared, and enacted, in anywise notwithstanding."¹

1682.
The act of
settlement,
continued.

We now come to the "Great Law," as passed by the assembly, so justly celebrated for its provision for "liberty of conscience."

"THE GREAT LAW, or, the body of Laws of the province of Pennsylvania and territories thereunto belonging, passed at an assembly at Chester, alias Upland, the 7th day of the 10th month, December, 1682.

"Whereas the glory of Almighty God, and the good of mankind, is the reason and end of government, and therefore government, in itself, is a venerable ordinance of God; and forasmuch as it is principally desired and intended by the proprietary and governor, and the freemen of the province of Pennsylvania, and territories thereunto belonging, to make and establish such laws as shall best preserve true Christians and civil liberty, in opposition to all unchristian, licentious, and unjust practices, whereby God may have his due, Cæsar

Preamble.

¹ Reg. Penns. vol. ii. pp. 156—157.

1682. his due, and the people their due, from tyranny and oppression of the one side, and insolency and licentiousness of the other, so that the best and firmest foundation may be laid for the present and future happiness of both the governor and people of this province and territories aforesaid, and their posterity.—Be it therefore enacted, by William Penn, proprietary and governor, by and with the advice and consent of the deputies of the freemen of this province, and counties aforesaid, in assembly met, and by the authority of the same, that these following chapters and paragraphs shall be the laws of Pennsylvania and the territories thereof.

Liberty of
conscience.

1. “Almighty God being only Lord of conscience, father of lights and spirits, and the author as well as object of all divine knowledge, faith, and worship, who only can enlighten the mind, and persuade and convince the understanding of people, in due reverence to his sovereignty over the souls of mankind. It is enacted by the authority aforesaid, that no person now or at any time hereafter living in this province, who shall confess and acknowledge one Almighty God to be the creator, upholder, and ruler of the world, and that professeth him or herself obliged in conscience to live peaceably and justly under the civil government, shall in anywise be molested or prejudiced for his or her conscientious persuasion or practice, nor shall he or she at any time be compelled to frequent or maintain any religious worship, place, or ministry whatever, contrary to his or her mind, but shall freely and fully enjoy his or her Christian liberty in that respect, without any interruption or reflection; and if any person shall abuse or deride any other for his or her different persuasion and practice in matter of religion, such shall be looked upon as a disturber of the peace, and be punished accordingly. But to the end that looseness, irreligion, and atheism may not creep in under pretence of conscience, in this province, be it further enacted by the authority aforesaid, that according to the good example of the primitive Christians, and for the ease of the creation, every first day of the week, called the Lord’s Day, people shall abstain from their common toil and labour, that whether masters, parents, children, or servants, they may the better dispose themselves to read the Scriptures of truth at home, or to frequent such meetings of religious worship abroad as may best suit their respective persuasions.

Observance
of the
Lord’s Day.

2. “And be it further enacted, by the authority aforesaid,

that all officers and persons commissioned and employed in the service of the government of this province, and all members and deputies elected to serve in assembly thereof, and all that have right to elect such deputies, shall be such as profess and declare they believe in Jesus Christ to be the Son of God, and Saviour of the world, and that are not convicted of ill-fame, or unsober and dishonest conversation, and that are of one and twenty years of age at least. And be it further enacted, by the authority aforesaid, that whosoever shall swear, in their conversation, by the name of God, or Christ, or Jesus, being legally convicted thereof, shall pay for every such offence five shillings, or suffer five days' imprisonment in the house of correction, at hard labour, to the behoof of the public, and be fed with bread and water only, during that time.

1682.

All officers to
profess be-
lief in the
divinity of
Christ.

Profaneness
to be pun-
ished.

3. "And be it further enacted, by the authority aforesaid, that whosoever shall swear by any other thing or name, and is legally convicted thereof, shall, for every such offence, pay half a crown, or suffer three days' imprisonment in the house of correction, at hard labour, having only bread and water for their sustenance.

Against
swearing
generally.

4. "And be it further enacted, by the authority aforesaid, for the better preventing of corrupt communication, that whosoever shall speak loosely and profanely of Almighty God, Christ Jesus, the Holy Spirit, or the Scriptures of truth, and is legally convicted thereof, shall, for every such offence, pay five shillings, or suffer five days' imprisonment in the house of correction, at hard labour, to the behoof of the public, and be fed with bread and water only, during that time.

Blasphemy.

5. "And be it further enacted, by the authority aforesaid, that whosoever shall, in their conversation at any time, curse himself or another, or any thing belonging to himself or any other, and is legally convicted thereof, shall pay for every such offence five shillings, or suffer five days' imprisonment, as aforesaid.

Cursing.

6. "And be it further enacted, by the authority aforesaid, that if any person shall, with malice or premeditation, kill, or be accessory to the death of another person, man, woman, or child, being legally convicted thereof, shall, according to the law of God and all nations, suffer death; and that the estates of all capital offenders shall go one-half to the next of kin of the sufferer, and the remainder to the next kin of the criminal.

Murder pun-
ished with
death and
confiscation
of property.

1682.

Man-
slaughter.

7. "And be it further enacted, by the authority aforesaid, that all persons guilty of manslaughter, or chance-medley, shall be punished according to the nature and circumstance of the offence.

Adultery,
how pun-
ished.

8. "And be it further enacted, by the authority aforesaid, that whosoever defileth the marriage-bed, by lying with another woman or man than their own wife or husband, being legally convicted thereof, shall, for the first offence, be publicly whipped, and suffer one whole year's imprisonment in the house of correction, at hard labour, to the behoof of the public, and longer, if the magistrate see meet; and both he and the woman to be liable to a bill of divorcement, if required by the grieved husband or wife, within the said term of one whole year after conviction; and for the second offence, imprisonment in manner aforesaid during life; and if the party with whom the husband or wife shall defile their beds, be unmarried, for the first offence they shall suffer half a year's imprisonment, in the manner aforesaid; and for the second offence, imprisonment for life.

Incest.

9. "And be it further enacted, by the authority aforesaid, that if any person shall be legally convicted of incest, which is uncleanness betwixt near relations in blood, such shall forfeit one-half of his estate, and both suffer imprisonment a whole year in the house of correction, at hard labour; and for the second offence, imprisonment, in manner aforesaid, for life.

Sodomy.

10. "And be it further enacted, by the authority aforesaid, that if any person shall be legally convicted of the unnatural sin of sodomy, or joining with beasts, such persons shall be whipped, and forfeit one-third part of his or her estate, and work six months in the house of correction, at hard labour; and for the second offence, imprisonment, as aforesaid, during life.

Rape.

11. "And be it further enacted, by the authority aforesaid, that whosoever shall be proved guilty of a rape or ravishment, that is, forcing a maid, widow, or wife, shall forfeit one-third of his estate to the parent of the said maid, and for want of a parent, to the said maid, and if a widow, to the said widow, and if a wife, to the husband of the said wife, and be whipped, and suffer a year's imprisonment in the house of correction, at hard labour; and for the second offence, imprisonment, in manner aforesaid, during life.

12. "And be it further enacted, by the authority aforesaid, ^{1682.} that whosoever shall be convicted of uncleanness, or committing of fornication, that is, if any single man shall defile a single woman, they shall suffer three months' imprisonment in the house of correction, at hard labour, and after the expiration of the said term, shall take one another in marriage, and live as man and wife together; but if the man be married, he shall forfeit one-third of his estate, and both be imprisoned as aforesaid. And whosoever shall be convicted of speaking an obscene or an unclean word, shall, for every such offence, pay one shilling, or sit in the stocks two hours. ^{Fornication.}

13. "And be it further enacted, by the authority aforesaid, that whosoever shall be convicted of having two wives, or two husbands, shall be imprisoned all their lifetime in the house of correction, at hard labour, to the behoof of his former wife or children, or her former husband or children; and if a man or woman, being unmarried, do knowingly marry the husband or wife of another person, he or she shall be punished after the same manner aforesaid. ^{Polygamy.}

14. "And be it further enacted, by the authority aforesaid, that every person disordering and abusing himself with drink unto drunkenness, being legally convicted thereof, shall for the first time, pay five shillings, or work five days in the house of correction at hard labour, and be fed only with bread and water; and for the second offence, and ever after, ten shillings, or ten days' labour, as aforesaid. ^{Drunkenness.}

15. "And be it further enacted, by the authority aforesaid, that they who do suffer such excess of drinking at their houses, shall be liable to the same punishment with the drunkard. ^{Permitting drunkenness.}

16. "And be it further enacted, by the authority aforesaid, that if any person do drink healths which may provoke people to unnecessary and excessive drinking, being legally convicted thereof, shall, for every such offence, forfeit five shillings, and whosoever shall pledge the same shall be liable to the same punishment. ^{Drinking healths.}

17. "Whereas divers persons, as English, Dutch, Swedes, &c., have been wont to sell to the Indians rum and brandy, and such like distilled spirits, though they know the said Indians are not able to govern themselves in the use thereof, but do commonly drink of it to such excess as makes them sometimes to destroy one another, and grievously annoy and ^{Selling rum, &c. to Indians.}

1682. { disquiet the people of this province, and peradventure those of neighbouring governments, whereby they make the poor natives worse, and not better, for their coming among them, which is an heinous offence to God, and a reproach to the blessed name of Christ and his holy religion. It is therefore enacted, by the authority aforesaid, that no person within this province do, from henceforth, presume to sell or exchange any rum or brandy, or any strong liquors, at any time, to any Indian within this province, and if any one shall offend therein, the person so convicted shall, for every such offence, pay five pounds.

Arson. 18. "And be it further enacted, by the authority aforesaid, that whosoever shall be convicted of wilfully firing any man's house, warehouse, outhouse, barns, stacks or ricks of corn, vessels, or boats, in any part of this province, or territory thereunto annexed, every such offender shall be liable to make satisfaction double the value, and suffer imprisonment for one year in the house of correction, and bear such corporal punishment as shall be inflicted by the court of justice of that county where the party offending hath committed the fact.

House-breaking and larceny. 19. "And be it further enacted, by the authority aforesaid, that if any person shall break into the dwelling-house of any other, to the affrighting of any dwelling therein, and shall intend or offer to take any thing out of the said house, such person convicted thereof shall make fourfold satisfaction, and suffer three months' imprisonment at hard labour, in the house of correction; and if the party offending be not able to make restitution, he or she shall be imprisoned seven years.

Thieves to restore fourfold. 20. "And be it further enacted, by the authority aforesaid, that the lands and goods of thieves and felons shall be liable to make satisfaction to the party wronged fourfold the value, and for want of lands or goods, the thief or felon shall be bondsman to work in the common prison or workhouse, or otherwise, till the party injured be satisfied.

House-breaking. 21. "And be it further enacted, by the authority aforesaid, that if any person shall violently or forcibly enter the house or possessions of any other, being duly convicted thereof, shall be punished as a breaker of the peace, and make such satisfaction to the party aggrieved as the circumstance of the fault will bear.

Rioters. 22. "And be it further enacted, by the authority aforesaid, that if any persons, to the number of three, shall meet to-

gether with clubs, staves, or any hurtful weapon, to the terror of any of the peaceable people of this province, and commit, or design to commit any violence or injury upon the person or goods of any of the said inhabitants, they shall be reputed and punished as rioters, and that act of terror and violence, or design of violence, accounted a riot. 1682.

23. "And be it further enacted, by the authority aforesaid, that whosoever shall assault or menace a parent, and shall be duly proved guilty thereof, shall be committed to the house of correction, and there remain at hard labour during the pleasure of the said parent. Violence to parents.

24. "And be it further enacted, by the authority aforesaid, that if any person shall assault or menace a magistrate, and be duly convicted thereof, he shall be fined according to the nature of the fact, and be committed to the house of correction, at hard labour, for one month after conviction. Violence to magistrates.

25. "And be it further enacted, by the authority aforesaid, that if any servant assault or menace his or her master or mistress, he shall be punished at the discretion of two justices of the peace, so it be suitable to the nature of the offence. Assaults on masters.

26. "And be it further enacted, by the authority aforesaid, that any person convicted of an assault or battery committed by him on another person, he shall be reputed a breaker of the peace, and shall be punished according to the nature and circumstance of the fact. Assault and battery.

27. "And be it further enacted, by the authority aforesaid, that whosoever shall challenge another person to fight, he that challengeth, and he that accepteth the challenge, shall, for every such offence, pay five pounds, or suffer three months' imprisonment in the house of correction, at hard labour. Giving or accepting a challenge.

28. "And be it further enacted, by the authority aforesaid, that whosoever shall introduce into this province, or frequent such rude and riotous sports and practices, as prizes, stage-plays, masks, revels, bull-baits, cockfighting, with such like, being convicted thereof, shall be reputed and fined as breakers of the peace, and suffer at least ten days' imprisonment at hard labour, in the house of correction, or forfeit twenty shillings. Against plays, and rude and riotous sports.

29. "And be it further enacted, by the authority aforesaid, that if any person be convicted of playing at cards, dice, lotteries, or such like enticing, vain, and evil sports and games, such persons shall, for every such offence, pay five

1682. shillings, or suffer five days' imprisonment at hard labour, in the house of correction, &c.

Seditious
writings.

30. "And be it further enacted, by the authority aforesaid, that if any person shall speak, write, or act any thing tending to sedition or disturbance of the peace, and be duly convicted thereof, the party so offending shall, for every such offence, be fined according to the nature and circumstance of the fact, provided it be not less than twenty shillings.

Speaking dis-
respectfully
of magis-
trates.

31. "And be it further enacted, by the authority aforesaid, that if any person speak slightly, or carry themselves abusively against any magistrate, or person in office, being duly convicted thereof, shall, for every such offence, suffer according to the quality of the magistrate, and nature of the offence, always provided it be not less than twenty shillings, or ten days' imprisonment at hard labour, in the house of correction.

Slander.
Spreaders of
false news.

32. "And be it further enacted, by the authority aforesaid, that all scandalous and malicious reporters, defamers, and spreaders of false news, whether against magistrates or private persons, being duly convicted thereof, shall be accordingly severely punished, as enemies to the peace and concord of the province.

Scolding and
railing.

33. "And be it further enacted, by the authority aforesaid, that if any person shall be clamorous, scolding, or railing with their tongues, upon complaint, and full proof thereof, before a justice of the peace, the said justice shall, for every such offence, commit such person to the house of correction, and there remain three days at hard labour.

Marriages
encouraged.

34. "And to prevent clandestine, loose, and unseemly proceedings about marriage, be it enacted, by the authority aforesaid, that all marriages not forbidden by the law of God, shall be encouraged, but the parents or guardians shall be first consulted, and the parties' clearness of all other engagements assured by a certificate from credible persons; and the marriage shall be published before it be solemnized, and it shall be solemnized by taking and owning one another as husband and wife, before sufficient witnesses, and a certificate of the whole, under the hands of parties and witnesses, shall be brought to the proper register of the county where they are married, and shall be registered in his office.

To be pub-
lished.
How to be
celebrated.

35. "And be it further enacted, by the authority aforesaid, that no person, be it either widower or widow, shall contract

marriage, much less marry, under one year after the decease of his wife or her husband. 1682.

36. "And be it further enacted, by the authority aforesaid, that if any person shall fall into decay and poverty, and be unable to maintain themselves and children, with their honest endeavour, or who shall die and leave poor orphans, that upon complaint to the next justices of the peace of the same county, the said justices, finding the complaint to be true, shall make provision for them, in such way as they shall see convenient, till the next county court, and that then care be taken for their comfortable subsistence.

Provision for
the poor and
orphans.

37. "And to prevent exaction in public houses, be it further enacted by the authority aforesaid, that all strong beer, and ale made of barley malt, shall be sold for not above two pennies a full Winchester quart; and all beer made of molasses shall not exceed one penny a quart.

Price of beer
and ale.

38. "And to prevent fraud in measure, and to reduce all foreign measures here to the English standard, be it further enacted, by the authority aforesaid, that the measures of this province shall be according to the standard of weights and measures in England, that is to say, a bushel shall contain eight gallons, according to the Winchester measure, and all weights to be avoirdupois, which hath sixteen ounces to the pound, within three months after the first session of this assembly.

Weights and
measures as
in England.

39. "And be it further enacted, by the authority aforesaid, that no person presume to keep an ordinary without a license first obtained of the governor; and to the end that all travelers, and such as are not housekeepers, may be reasonably accommodated, in places where ordinaries now are, or shall be hereafter erected, no such keeper of such ordinary shall demand above six pennies a meal by the head, which meal shall consist of beef or pork, or such like produce of the country, and small-beer; and of a footman he shall not demand above twopence per night for his bed; and of a horseman nothing, he paying six pennies a night for his horse's hay.

Licenses for
taverns;
prices for
meals, &c.

40. "And be it further enacted, by the authority aforesaid, that the days of the week, and the months of the year, shall be called as in Scripture, and not by heathen names, (as are vulgarly used,) as, the first, second, and third days of the week; and first, second, and third months of the year, &c.,

Days and
months as in
Scripture.

1682. beginning with the day called Sunday, and the month called March.

Courts of
justice regu-
lated.

41. "And be it further enacted, by the authority aforesaid, to the end that justice may be faithfully and openly done, according to law, that all courts of justice shall be open, and justice shall not be sold, denied, nor delayed; and in every county there shall be one court erected, to which the inhabitants thereof may every month repair for justice, and in case any person shall hold himself aggrieved by the sentence of the said county court, that such persons may appeal to the provincial court, which shall sit quarterly, and consist of not less than five judges, the appellant giving security for the charges of the suit; and no further appeal to be admitted till the appellant deposit in court the sum he is condemned to pay, and give security, in case he be cast by the last jurisdiction, which shall be the provincial council.

Parties may
plead for
themselves.

42. "And be it further enacted, by the authority aforesaid, that in all courts, all persons, of all persuasions, may freely appear, in their own way, and according to their own manner, and there personally plead their own cause themselves, or if unable, by their friends, and the first process shall be the exhibition of the complaint in court, fourteen days before the trial, and that the defendant be prepared for his defence, he or she shall be summoned, no less than ten days before, and a copy of the complaint delivered him or her, at his or her dwelling-house, to answer unto; but before the complaint of any person shall be received, he or she shall solemnly declare in open court, that he or she believes, in his or her conscience, his or her cause is just; and if the party complained against shall, notwithstanding, refuse to appear, the plaintiff shall have judgment against the defendant by default.

Witnesses to
tell the
truth.

43. "And be it further enacted, by the authority aforesaid, that there shall be two credible witnesses in all cases, in order to judgment, and all witnesses coming or called to testify their knowledge in or to any matter or thing, in any court, or before any lawful authority within the said province, shall there give or deliver in their evidence or testimony, by solemnly promising to speak the truth, the whole truth, and nothing but the truth, to the matter or thing in question; and in case any person so called to evidence, shall afterwards be convicted of wilful falsehood, such person shall suffer and undergo such damage or penalty as the person or persons

False wit-
nesses, how
punished.

against whom he or she bore false witness, did or should undergo, and shall also make satisfaction to the party wronged, and be publicly exposed for a false witness, never to be credited again in any court, or before any magistrate in the said province; and whosoever shall be convicted of lying in conversation, shall, for every such offence, pay half a crown, or suffer three days' imprisonment in the house of correction, at hard labour.

1682.

44. "And be it further enacted, by the authority aforesaid, that all pleading processes and records in court, shall be short, and in English, and in an ordinary and plain character, that they may be easily read and understood, and justice speedily administered.

Records to
be in Eng-
lish.

45. "And be it further enacted, by the authority aforesaid, that all trials in civil cases shall be by twelve men, and as near as may be, peers or equals, and of the neighbourhood, and men without just exception; and in criminal matters of life, there shall be first twenty-four returned by the sheriff, for a grand inquest, of whom twelve at least shall find the complaint to be true, and then forty-eight shall be likewise returned by the sheriff, of whom twelve shall have the final judgment, but reasonable challenges shall be always admitted, against any or all of them.

Juries.

46. "And be it further enacted, by the authority aforesaid, that all fines shall be moderate, saving contenements, merchandise, or wainage, which is to say, the furniture of their calling and means of livelihood.

Fines mode-
rate.

47. "And be it further enacted, by the authority aforesaid, that all fees and salaries in all cases, shall be moderate and limited by the governor and assembly, and be hung up in a table in every respective court; and whosoever shall be convicted of taking more, shall pay twofold, and be dismissed his employment, one moiety of which shall go to the party wronged. And that all persons convicted of bribery and extortion shall forfeit double the same.

Fee and
salary bills
to be hung
up.

48. "And be it further enacted, by the authority aforesaid, for avoiding of numerous suits, if two men, dealing together, be indebted to each other upon bills, bonds, bargains, or the like, provided they be of equal truth and clearness, the defendant shall, in his answer, acknowledge the debt which the plaintiff demandeth, and default what the plaintiff owes to him upon the like clearness.

Debtors and
creditors.

1682.

Arrest of
persons
leaving the
province.

49. "And be it further enacted, by the authority aforesaid, that if in case any man arrest another going out of the province, he shall be ready with his declaration and evidence the next day, and shall put in security to pay the charges and damages sustained by the party arrested, if he shall be found in the wrong.

Observance
of contracts.

50. "And be it further enacted, by the authority aforesaid, that all bargains, promises, and agreements, about buying and selling, being made appear by sufficient evidence, shall stand good and firm, and such as shall violate the same, he or she shall, for every such offence, pay twice the value to the party wronged.

Charters,
grants, &c.
to be regis-
tered or en-
rolled.

51. "And be it further enacted, by the authority aforesaid, to prevent frauds and vexatious suits within the said province, all charters, gifts, grants, and conveyances of land, (except leases for a year or under,) and all bills, bonds, and specialties above five pounds, and not under three months, made in the said province, shall be enrolled or registered in the public enrolment-office of the said province, within the space of two months next after the making thereof, else to be void in law; and all deeds, grants, and conveyances of land, (except as aforesaid,) within the said province, and made out of the said province, shall be enrolled or registered as aforesaid, within six months next after the making thereof, and settling and constituting an enrolment-office or registry within the said province, else to be void in law against all persons whatsoever; and in case the deeds of purchase in England, made of lands in this province, should be lost by the way, and so cannot be registered, copies of the deeds, attested by a public notary, shall be of equal force therein.

Force of
wills in
cases of
lands.

52. "And be it further enacted, by the authority aforesaid, that all wills in writing, attested by two sufficient witnesses, shall be of the same force as to land, as other conveyances, being legally proved within forty days, either within or without the said province.

Testators to
be compos
mentis.

53. "And be it further enacted, by the authority aforesaid, that the will of no person shall be of force that is not in his or her right mind, and usual understanding, at the making thereof.

Intestate's
estates.

54. "And be it further enacted, by the authority aforesaid, that the estates of intestates shall go to the wife and to the children, and if no wife be living at the time of death, all the

estate shall go to the children, and if no children, one-third to the governor, and two-thirds to the next of kin. 1682.

55. "And be it further enacted, by the authority aforesaid, that there shall be a registry for births, marriages, burials, wills, the names of executors, and guardians, and trustees, and letters of administration, distinct from the other registry. Registers of births, &c.

56. "And be it further enacted, by the authority aforesaid, that servants shall not be kept longer than their time, and such as are careful shall be both justly and kindly used in their service, and put in fitting equipage at the expiration thereof, according to custom; and such as run away and serve not their time, when caught shall serve twice the time he or she was absent, and pay the charges, or serve out the value after their time is expired; and if any master abuse his servant, on complaint to the next justice of the peace, he shall take care to redress the said grievance. Respecting servants, &c.

57. "And be it further enacted, by the authority aforesaid, that there shall be a registry for all servants, where their names, time, wages, and days of freedom or payment, shall be registered. To be registered.

58. "And be it further enacted, by the authority aforesaid, that all factors or correspondents in this province, wronging their employers, shall make satisfaction, and one-third over, to their said employers; and in case of the death of any such factor or correspondent, the committee of trade shall take care to secure so much of the deceased party's estates as belongs to his said respective employers. Against unfaithful factors.

59. "And be it further enacted, by the authority aforesaid, that all defacers or corruptors of charters, gifts, grants, bonds, bills, wills, contracts, or conveyances, or that shall deface or falsify any enrolment, registry, or record, within this province, shall make double satisfaction for the same, half whereof shall go to the party wronged, and they shall be dismissed of all places of trust, and be publicly disgraced as false persons. Defacing instruments.

60. "And be it further enacted, by the authority aforesaid, that all lands and goods shall be liable to pay debts, except where there be legal issue, and then all goods, and one-half of the land only, in case the land was bought before the debts were contracted. Lands and goods liable for debts.

61. "And be it further enacted, by the authority aforesaid, that all prisoners shall be bailable by sufficient sureties, un- Bail to be taken.

1682. less in capital offences, where the proof is evident, or the presumption great; and every quarter of a year there shall be a jail delivery in every county, where imprisonment is not the punishment.

62. "And be it further enacted, by the authority aforesaid, that all prisons shall be workhouses for felons, thieves, vagrants, and loose, abusive, and idle persons, whereof one shall be in every county.

63. "And be it further enacted, by the authority aforesaid, that jailers shall not oppress their prisoners, and that all prisoners shall be free as to room, and all prisoners shall have liberty to provide themselves bedding, food, and other necessities, during their imprisonment, except such whose punishment by law will not admit of that liberty. And be it further enacted, by the authority aforesaid, that any person wrongfully imprisoned shall have double damages against the informer or prosecutor.

64. "And be it further enacted, by the authority aforesaid, that as in divers laws the penalty of the offences is thus expressed, either a certain sum of money, or certain time of imprisonment at hard labour, in the house of correction, it shall be left to the choice of the civil magistrate which of the punishments he will inflict upon the person so offending. That whosoever shall know any of the aforementioned offences, and inform the civil magistrate thereof, shall have one-third of the fine, and if any one shall conceal such person, he or she shall pay half the fine due from the guilty person.

65. "And to the end that it may be known who those are that in this province and territory thereunto belonging, have right of freemen, to choose or be chosen, and with the proprietary and governor, make and enact laws, that every inhabitant of the said province and territories annexed, that is or shall be a purchaser of one hundred acres of land, and hath seated the same, his heirs and assigns, and every person who shall have paid his passage, and taken up one hundred acres of land, at one penny an acre, and hath seated the same; and every person that hath been a servant or bondsman, and is free by services, that shall have taken up his fifty acres of land, and seated the same; and every inhabitant, artificer, or other resident in the said province, that pay scot and lot to the governor, shall be deemed and accounted a freeman of this province and territory thereof, and such only shall have

right of election, or being elected to any service in the government thereof. Provided also, and be it further enacted, by the authority aforesaid, that all persons holding any office in this province, or the territories thereunto belonging, or that hath or shall have right to choose or be chosen members in assembly, shall be such as shall first subscribe this following declaration: 'I, A. B., do hereby freely acknowledge, and solemnly declare and promise fidelity and lawful obedience to William Penn, son and heir of Sir William Penn, deceased, and his heirs and assigns, as rightful proprietary and governor of the same, according to the king's letters-patent, and deeds of grant and feoffment, from James, duke of York and Albany, &c. ; and that I will never act nor do, by word or deed, directly or indirectly, any thing, nor consent to, nor conceal any person or thing whatsoever, to the breach of this solemn engagement. In witness of which, I have hereunto set my hand, this — day of —, in the year —. A. B.'

1682.

Proviso:
officers to
subscribe a
declaration.

66. "And that all elections may not be corruptly managed, upon which the present and future good of the province so much depends, that all elections of members or representatives of the people and freemen of the province of Pennsylvania and territories annexed, to serve in the assembly thereof, shall be free and voluntary, and that the elector that shall receive any reward or gift in meat, drink, moneys, or otherwise, shall forfeit his right to elect such; and such persons as shall give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid. And the assembly shall be sole judges of the regularity or irregularity of the elections of the members thereof.

Purity of
elections.

67. "And that the people may be fully secured in the enjoyment of their property, be it further enacted, by the authority aforesaid, that no money or goods shall be raised upon or paid by any of the people of this province and territories annexed, by way of a public tax, custom, or contribution, but by a law for that purpose, made by the government and freemen of the said province and territory thereof; and whosoever shall levy, collect, receive, or pay any money or goods contrary thereunto, shall be held and punished as a public enemy to the province, and a betrayer of the liberty

No taxes or
customs to
be raised
but by law.

1682. of the people; and that no public tax at any time shall continue longer than the space of one whole year.

Laws to be published and printed, and taught in schools.

68. "And be it further enacted, by the authority aforesaid, that the laws of this province, from time to time, shall be published and printed, that every person may have the knowledge thereof; and that they shall be one of the books taught in the schools of this province and territory thereof.

Other matters to be fixed by the governor and freemen.

69. "And be it further enacted, by the authority aforesaid, that all other matters and things not herein provided for, which shall and may concern the public good, justice, peace, and safety of the said province, and the raising and imposing taxes, customs, duties, or other charges whatsoever, shall be, and are hereby referred to the order, prudence, and determination of the governor and freemen of the said province, from time to time."¹

Penn's visit to Lord Baltimore.

After the meeting of the assembly, at Chester, Penn set out on the 11th; at West River, he met his lordship, attended suitable to his character, "who took occasion, by his civilities, to show him the greatness of his power." The next day he had a conference respecting the bounds, "at the same table with our respective members of council." Penn presented to Lord Baltimore "the king's letter," on the subject of the boundaries, in which Lord Baltimore said the king was mistaken. The conference only resulted in an appointment to meet again in the spring.²

Penn's treaty at the Elm Tree.

Tradition, as well as historians, poets, and painters, have informed us, that about this period, a treaty between William Penn and the Indians was held at Shackamaxon. Great difference of opinion has existed as to the object of it, some asserting that it was for the purchase of lands, and others that it was intended as a league of friendship between the parties. If it had been for the purchase of lands, they say we should have some recorded memorials of it, or if a treaty at all, the written narrative of it would have descended to us, as in other cases of a similar nature; hence, in the absence of both, the conclusion has been arrived at by some, that no such treaty or conference did take place. The Historical Society, desirous that so interesting an event, and one which has gained for our founder so much celebrity and praise,

¹ These laws are recorded in an old book in Secretary's office at Harrisburg, and also transcribed on a long roll of parchment.

² Penn's Letter to Lords of Plantations.

should no longer remain in doubt, several years since appointed a committee¹ to collect all the facts, and investigate the subject as far as at this late period could be done. The result of their labours was a very able report, taking a view of the whole ground, and embracing almost all that has been said or written on the subject. It is printed in the Society's Memoirs, vol. iii. part 2, page 143, to which we refer those who are desirous of information respecting it. It shows conclusively and satisfactorily, as the author thinks, that such a treaty or conference did take place, probably in November, 1682, at Shackamaxon, under the Great Elm Tree, which was blown down in 1810, the position of which is now designated by a marble obelisk, erected by the Penn Society. The treaty was probably made, according to the committee, with the Lenni Lenape or Delaware tribes, and some of the Susquehanna Indians; that it was "a treaty of amity and friendship," and perhaps confirmatory of one made previously by Markham. In the concluding language of the report, therefore, "we hope that the memory of the Great Treaty, and of our illustrious founder, will remain engraved on the memory of our children, and children's children, to the end of time."

Penn's
Treaty.

We would refer also to vol. i. of Clarkson's *Life of Penn*, who enters largely into the subject, giving even the speeches made, and a description of Penn's dress. He says that the blue sash worn by Penn at the time, was, when he wrote, still in existence. Also to *Memoirs* by John F. Watson, in same vol. of *Memoirs*, p. 129; and another by Roberts Vaux, in vol. i. page 79; also to the *Histories of Proud and Gordon*, and *Watson's Annals*. Although much of fancy may be found in some of these, they serve to show the interest taken by all writers in the event. Voltaire says, that this is "the only treaty which was never sworn to, and never broken." West has immortalized it with his pencil.

Captain Brockholls, in a letter of this date, to Sir John Werden, says, "I received yours of 24th August past, the 4th December, but too late to assist or serve William Penn in giving possession of what his royal highness has been pleased to grant him; being before possessed thereof by the persons empowered in the body of the deeds, which Mr. Penn, having since been here, hath shown and recorded; am ready

Dec. 23.

Captain
Brockholls's
letter to Sir
John Wer-
den, advis-
ing him of
Penn being
in possession
of the terri-
tories.

¹ P. S. Duponceau and J. Francis Fisher.

1682. { to obey all his royal highness's commands, and serve his interests, but fear what is left of his province not able to defray the charge."¹

Dec. 31.
Penn instructs the court respecting lands. Townships to be laid off.

Penn commissions, under his hand and seal, the justices of the peace of Kent and other counties, ordering and appointing them, in open court, to receive all petitions from persons wanting to take up lands amongst them; to grant warrants to the surveyor to measure the same; not to exceed 300 acres to a master of a family, nor 100 to a single person, at one single penny per acre, or value thereof in the produce of the country, which done, surveyor to make his return into my secretary's office. All lands formerly granted, and not taken up and settled within the time limited by the methods of your own court, shall be accounted *vacant* lands. All persons, for the future, that shall have grants, shall be limited to seat in a year, else the grants to be void. Endeavour to seat the lands by way of townships, as 3000 acres among ten families; if single persons, 1000 acres among ten of them, laid out in a long square, five or ten of a side, and a way of 200 feet broad left between them, for a highway, in the township, for the future good and great benefit of the country.²

A ship of 550 tons arrives, with 350 passengers. Get ashore. Kindness of Indians to them.

"A large ship of 550 tons burden arrived in West Jersey, which got aground in Delaware Bay, where, after laying eight days, by a favourable wind and tide, got off, and landed her passengers, being 360, between Philadelphia and Burlington, on the Jersey shore. Their provisions being nigh gone, they sent ten miles, to an Indian town near Rancocas Creek, for Indian corn and pease. The king of this tribe being there, treated them kindly, and directed such Indians as had provisions to bring them in next morning, who accordingly brought plenty, which being delivered and put in bags, the messengers took leave of the king, who kindly ordered some of the Indians to carry these bags for them to their canoes."³

Having completed the first part of our plan, by tracing the settlements on the Delaware from their commencement, and placed William Penn in full possession of his territory and government, we here close our volume, and are now prepared to enter upon the details of our future history.

¹ New York Records, in Breviat.

² Kent County Records. New Castle Records, in Breviat.

³ Smith's New Jersey, p. 150.

APPENDIX.

[No. 1.]

SINCE printing the instructions from William Penn to his commissioners, on page 531, we have received from the Land-Office, at Harrisburg, through the kindness of Col. Crain, the following commission and instructions to other commissioners, of a later date, partly for the same purpose. It will be observed that they refer to instructions dated 14th October, 1681, which we have not yet been able to find; being only about two weeks later, they probably did not vary much from those on page 531, if indeed the same, dated September 30, 1681, be not referred to. It will be observed, likewise, that in the present instance, the name of William Haige is added to the others.

“William Penn, proprietary and governor of Pennsylvania, greeting, to his trusty and well-beloved friends, William Crispin, William Haige, John Bezer, and Nathaniel Allen:—These are to authorize and appoint you my commissioners, in my name fully and effectually to act whatever may be requisite for settling the present colony embarked this autumn at London and Bristol, for Pennsylvania, and all other adventurers, with respect to the survey and allotment of every man his share, according to the catalogue of purchasers, and the instructions that are herewith given to you; for all which, this shall be your sufficient warrant and authority. Given under my hand and seal, at London, in the kingdom of England, this five and twentieth day of October. In the year of our Lord, according to the English account, one thousand six hundred eighty and one.

WILLIAM PENN. [L. S.]

“The present duty of the commissioners is to lay out ten thousand acres for a town, in which the purchaser or purchasers of every five thousand acres shall have one hundred acres; and that the town shares be laid out together, according to this catalogue, and the contiguousness of the counties of the purchasers belong to. And I do further order, that the last part of this town be laid out for the present purchasers; and for the rest, I refer to my instructions dated the 14th of October, 1681.

WILLIAM PENN.”¹

[No. 2.]

The following is the list referred to in the directions of William Penn to Philip Ford, on page 576, and which immediately follows them. We copy it from a paper in the Land-Office, endorsed “List of Purchasers, 22d March, 1682, (left by Isaac Brown,) with order to Philip Ford.” This date evidently ought to be 22d May, or *third* month, (O. S.) Holme was not appointed till April.

“An account of the lands in Pennsylvania granted by William Penn, Esq., chief proprietary and governor of that province, to several purchasers within the kingdom of England, Ireland, and Scotland, &c.

| [1.] | | [3.] | |
|-------------------------------|--------|------------------------|-------|
| Philip Ford..... | 5,000 | Edward Jefferson..... | 1,500 |
| Thomas Rudyard..... | 2,000 | Thomas Scot..... | 500 |
| The same..... | 2,000 | John Goodson..... | 500 |
| Harbert Springet..... | 1,500 | John Beckly..... | 250 |
| | 10,500 | Daniel Quare..... | 250 |
| | | John Stringfellow..... | 250 |
| | | Richard Townsend..... | 250 |
| [2.] | | Caleb Pusey..... | 250 |
| James Claypoole..... | 5,000 | John Hicks..... | 250 |
| John Moore, Joseph Moore..... | 1,000 | Edward Blake..... | 250 |
| Sabian Cole..... | 1,000 | William Moore..... | 500 |
| Thomas Baker..... | 1,000 | Henry Sleighton..... | 250 |
| Humphrey South..... | 1,000 | John Pusey..... | 250 |
| Samuel Jobson..... | 1,000 | Thomas Virgo..... | 500 |
| | 10,000 | Thomas Burbary..... | 250 |

¹ From the Record in Book AA, page 139.

| | | | |
|-------------------------------------|--------|----------------------------|--------|
| John Allington..... | 250 | Christopher Taylor..... | 5,000 |
| Richard Jordan..... | 250 | A. B..... | 250 |
| Samuel Benet..... | 250 | | 10,000 |
| Thomas Cobb..... | 250 | | |
| John Tibbey..... | 250 | [11.] | |
| Elizabeth Shorter..... | 250 | William Bacon..... | 10,000 |
| Amos Nickols..... | 250 | | |
| John Barber..... | 250 | [12.] | |
| Jonathan Stanmore..... | 250 | Nathaniel Allen..... | 2,000 |
| John Spencer..... | 125 | John Hartt..... | 1,000 |
| Mark Keywton..... | 125 | Henry Comley..... | 500 |
| Edward Crow..... | 250 | William Smith..... | 500 |
| William Boswell..... | 500 | James Wallis..... | 1,000 |
| Edward Simkins..... | 250 | Richard Coslet..... | 1,000 |
| | 9,500 | Edmond Benet..... | 1,000 |
| [4.] | | William Smith Mariner..... | 1,000 |
| Thomas Farnborrow..... | 5,000 | Margaret Martindel..... | 1,000 |
| Hugh Chamberlaine..... | 5,000 | John Love..... | 1,000 |
| | 10,000 | | 10,000 |
| [5.] | | [13.] | |
| Nicholas Moore..... | 10,000 | Charles Marshall..... | 1,000 |
| | | Charles Jones..... | 2,000 |
| [6.] | | Charles Jones, jun. } | |
| William Bowman..... | 5,000 | Robert Vickris... } | 2,000 |
| Griffith Jones..... | 5,000 | Richard Vickris. } | |
| | 10,000 | John Moon..... | 500 |
| [7.] | | William Brown..... | 1,000 |
| William Kent..... | 1,250 | Charch Harford..... | 1,000 |
| Benjamin East..... | 1,250 | Richard Sneed..... | 1,500 |
| Charles Bathurst..... | 1,250 | John Jones..... | 1,000 |
| John Toovey..... | 1,250 | Michael Jones... } | |
| William Philip, Joseph his son..... | 1,250 | | 10,000 |
| Nathaniel Harding..... | 500 | [14.] | |
| William Carter..... | 500 | Richard Marsh..... | 5,000 |
| Francis Harrison..... | 250 | The same..... | 5,000 |
| John Carver..... | 500 | | 10,000 |
| John Swift..... | 500 | [15.] | |
| William Lawrence..... | 500 | Thomas Callowhill..... | 5,000 |
| | 9,000 | The same..... | 500 |
| [8.] | | Nathaniel Evans..... | 500 |
| *Robert Dimsdale..... | 5,000 | Thomas Pagget..... | 500 |
| *Hugh Lambert..... | 2,500 | Thomas Paschall..... | 500 |
| Thomas Rudyard..... | 1,000 | Joan Dickson..... | 500 |
| Harbert Springet..... | 500 | James Petre..... | 500 |
| William Busel..... | 1,000 | John Jennet..... | 500 |
| | 10,000 | Roger Drew..... | 500 |
| [9.] | | Edward Erberry..... | 500 |
| William Markham..... | 5,000 | William Lane..... | 500 |
| Henry Waddy..... | 750 | | 10,000 |
| John Day..... | 1,250 | [16.] | |
| Francis Plumsted..... | 2,500 | Edward Martindel..... | 1,000 |
| William Haige..... | 500 | Philip Th. Lehman..... | 1,000 |
| | 10,000 | Arnold Brown..... | |
| [10.] | | William Cole..... | 5,000 |
| George Fox..... | 1,250 | N..... | |
| Alexander Parker..... | 1,000 | N..... | |
| Robert Lodge..... | 500 | Peter Young..... | 500 |
| John Buryeat..... | 500 | Thomas Bailey..... | 250 |
| Thomas Zachary..... | 500 | Joel Jelson..... | 250 |
| James Parks..... | 500 | John Bristow..... | 500 |
| Thomas Longhorn..... | 250 | Thomas Priggs..... | 500 |
| Thomas Lawson..... | 250 | George Keith..... | 500 |
| | | A. B..... | 500 |
| | | | 10,000 |

| | | | |
|------------------------------------|--------|--------------------------------------|--------|
| [17.] | | [23.] | |
| George Powell..... | 500 | William Jenkins..... | 1,000 |
| John Clare..... | 500 | John Poyer..... | 750 |
| John Hill..... | 500 | William Mordant..... | 500 |
| Christopher Forford..... | 500 | John Burge..... | 750 |
| William Beaks..... | 1,000 | John Bevin..... | 750 |
| Samuel Allen..... | 2,000 | William Powell..... | 1,250 |
| Walter King..... | 1,000 | Lewis Davis..... | 3,000 |
| John Passons and Abram Hooper..... | 500 | Morris Lenholme..... | 500 |
| Thomas Plaise..... | 250 | Thomas Simons..... | 500 |
| Richard Mills..... | 250 | John Bevin..... | 2,000 |
| William Alloway..... | 250 | Edward Prichard..... | 2,500 |
| Francis Harford..... | 250 | | |
| John Wall and John Wallis..... | 250 | | 13,500 |
| John Coats..... | 1,000 | [24.] | |
| Richard Collins..... | 1,250 | William Bringley..... | 500 |
| | 10,000 | Anne Olive..... | 500 |
| [18.] | | John Hart..... | 1,000 |
| George White..... | 2,500 | Joseph Richards..... | 500 |
| John Sansom..... | 500 | Joshua Hastings..... | 1,000 |
| John May..... | 500 | Robert Adams..... | 500 |
| George Green..... | 2,000 | John Harper..... | 500 |
| Francis Smith..... | 5,000 | Richard Hands..... | 1,000 |
| | 10,000 | John Hewes..... | 500 |
| [19.] | | William Cecill..... | 250 |
| John Barber..... | 2,500 | Edwards Walter..... | 250 |
| Thomas Rowland..... | 2,500 | Thomas Serey..... | 500 |
| Thomas Adams..... | 1,250 | Edward Betrice..... | 2,000 |
| John Songhurst..... | 1,250 | Thomas Minchin..... | 500 |
| John Burns..... | 1,250 | John March..... | 1,000 |
| Thomas Banks..... | 1,250 | | 10,000 |
| William Wade..... | 1,250 | [25.] | |
| | 10,000 | John Ap John..... | 5,000 |
| [20.] | | John Winn..... | 5,000 |
| John Willard..... | 1,250 | John Thomas..... | 5,000 |
| Priscilla Sheppard..... | 500 | Evan Jones..... | 5,000 |
| Sarah Barsnet..... | 500 | | 10,000 |
| Israel Branch..... | 500 | [26.] | |
| Elizabeth Sims..... | 500 | Ralph Withers..... | 500 |
| Thomas Brown..... | 1,250 | John Bezer..... | 1,000 |
| Walter Martin..... | 500 | John Clerk..... | 500 |
| Thomas Harriot..... | 2,500 | Isaac Self..... | 500 |
| The same..... | 2,500 | Edward Guy..... | 500 |
| | 10,000 | Edward Luff..... | 500 |
| [21.] | | John Luff..... | 500 |
| Thomas Dell..... | 500 | Richard True..... | 500 |
| John Penington..... | 1,250 | Richard True, jun..... | 500 |
| William Penington..... | 1,250 | John Brothers..... | 500 |
| Edward Penington..... | 1,250 | Robert Sergel..... | 500 |
| Mary Penington..... | 1,250 | Edward Bezer..... | 500 |
| Thomas Ellwood..... | 500 | Anthony Elton..... | 500 |
| Thomas Cobourn..... | 500 | Edward Brown..... | 500 |
| Alexander Beardsly..... | 500 | Daniel Smith..... | 500 |
| John Price..... | 500 | John Harding..... | 500 |
| William Pardo..... | 1,250 | John Gibbon..... | 500 |
| Francis Fincher..... | 1,250 | William Smith..... | 1,250 |
| | 10,000 | Samuel Noise..... | 500 |
| [22.] | | Thomas Sagar and Susannah Baily..... | 500 |
| Charles Lloyd..... | 5,000 | John Buckley..... | 250 |
| Margaret Davis..... | 5,000 | William Withers..... | 500 |
| Richard Davis..... | 5,000 | | 10,000 |
| | 10,000 | [27.] | |
| | | George Andrews..... | 250 |
| | | William Sute..... | 500 |
| | | Francis Smith..... | 500 |
| | | Ann Crawley..... | 500 |

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| | | | |
|-----------------------|--------|-----------------------|--------|
| William Lloyd..... | 2,000 | A. B. (Fuller)..... | 5,000 |
| A. B..... | 350 | | 10,000 |
| | 10,000 | | |
| [51.] | | C. D. (John Gee)..... | 5,000 |
| William Stanley..... | 5,000 | E. F..... | 5,000 |
| Thomas Philips..... | 1,000 | | 10,000 |
| Richard Pierce..... | 1,000 | | |
| James Craven..... | 1,000 | [55.] | |
| Samuel Tavernier..... | 1,000 | G. H..... | 5,000 |
| Thomas Pierce..... | 1,000 | J. K..... | 5,000 |
| | 10,000 | | 10,000 |
| [52.] | | L. M..... | 5,000 |
| William Clerk..... | 500 | | |
| Sarah Woolman..... | 250 | [57.] | |
| George Palmer..... | 5,000 | Isaac Gelius..... | 5,000 |
| Allen Foster..... | 1,100 | Peter Dalbo..... | 500 |
| John Stevens..... | 250 | John Barns..... | 500 |
| John Mason..... | 1,000 | John Songhurst..... | 250 |
| Richard Thatcher..... | 1,000 | John Snashold..... | 500 |
| A. B..... | 900 | Jane Bachelour..... | 250 |
| | 10,000 | Thomas Parsons... } | 500 |
| [53.] | | Richard Parsons... } | 500 |
| Edward Stubbard..... | 5,000 | | 7,500 |

[No. 3.]

Through the kindness of John Cadwalader, Esq., the author is enabled to add to the certificate of the drawing of city lots, on page 595, a detailed list, with the names and numbers so drawn, on the 19th September, 1682, from a certified copy in the Land-Office.

"SECOND STREET LOTS, FROM THE RIVER, as drawn by lot :

| | | |
|------------------------|-----------------------|----------------------|
| 1. Sir William Petty. | 19. George Whitehead. | 37. Robert Turner. |
| 2. John Allsop. | 20. William Bowman. | 38. Society. |
| 3. Sarah Fuller. | 21. John Sinkok. | 39. Society. |
| 4. Thomas Rowland. | 22. George Andrews. | 40. Joseph Powell. |
| 5. James Claypoole. | 23. Richard Marsh. | 41. Charles Lloyd. |
| 6. William Isaak. | 24. Thomas Elwood. | 42. John Barber. |
| 7. William Penn, jun. | 25. Thomas Fernburgh. | 43. Thomas Holmes. |
| 8. William Crispin. | 26. Edmund Jefferson. | 44. Nicholas More. |
| 9. George Evans. | 27. Thomas Powell. | 45. William Penn, P. |
| 10. Edward Martindale. | 28. William Shadloe. | 46. Joseph Martin. |
| 11. William Bingley. | 29. Samuel Claradge. | 47. John Willard. |
| 12. John Body. | 30. Thomas Bracey. | 48. Thomas Dell. |
| 13. Lawrence Growden. | 31. John Ap John. | 49. Nathaniel Allen. |
| 14. William Lanther. | 32. Charles Marshall. | 50. Robert Dimsall. |
| 15. Thomas Callowhill. | 33. Benjamin East. | 51. William Bacon. |
| 16. William Jenkins. | 34. William Markham. | 52. Ralph Withers. |
| 17. George Powell. | 35. Philip Ford. | 53. Richard Arner. |
| 18. George White. | 36. Solomon Richards. | 54. George Fox. |

"These lots were drawn before us, this 19th of 7th month, 1682.—William Markham, Thomas Holme, William Haig, Griffith Jones.

"BROAD STREET LOTS :

| | | |
|-----------------------|----------------------|------------------------|
| 1. Charles Marshall. | 11. John Allsop. | 21. William Lanther. |
| 2. James Claypoole. | 12. William Jenkins. | 22. William Penn, jun. |
| 3. Thomas Callowhill. | 13. Richard Arner. | 23. William Isaak. |
| 4. Robert Turner. | 14. Benjamin East. | 24. William Markham. |
| 5. Sir William Petty. | 15. Thomas Rowland. | 25. John Ap John. |
| 6. Sarah Fuller. | 16. George Andrews. | 26. Solomon Richards. |
| 7. William Crispin. | 17. Thomas Fernburg. | 27. Joseph Martin. |
| 8. George Evans. | 18. John Barber. | 28. John Willard. |
| 9. Society. | 19. William Bingley. | 29. Thomas Ellwood. |
| 10. Society. | 20. John Boay. | 30. George White. |

"BROAD STREET LOTS: (*continued*)."

| | | |
|-----------------------|------------------------|-----------------------|
| 31. Charles Lloyd. | 39. Joseph Powell. | 47. George Fox. |
| 32. Thomas Dell. | 40. Samuel Claradge. | 48. Thomas Powell. |
| 33. Ralph Withers. | 41. Richard Marsh. | 49. Philip Ford. |
| 34. George Whitehead. | 42. Edward Martindale. | 50. Thomas Bracey. |
| 35. William Penn, P. | 43. Edward Jefferson. | 51. George Powell. |
| 36. Thomas Holmes. | 44. John Simkok. | 52. William Bacon. |
| 37. Robert Dinsdale. | 45. Nathaniel Allen. | 53. William Shardloe. |
| 38. Lawrence Growden. | 46. Nicholas More. | 54. William Bowman. |

"These lots were drawn before us, this 19th of 7th month, 1682.—William Markham, Thomas Holme, William Haig, Griffith Jones.

"FOURTH STREET LOTS :

| | | |
|------------------------|------------------------|------------------------|
| 1. John Simcock. | 19. William Bowman. | 37. Lawrence Growden. |
| 2. Samuel Claradge. | 20. Thomas Rowland. | 38. Richard Marsh. |
| 3. Edward Jefferson. | 21. Solomon Richards. | 39. George Evans. |
| 4. William Markham. | 22. Robert Dimsdale. | 40. William Lanther. |
| 5. Nicholas More. | 23. Robert Turner. | 41. George White. |
| 6. William Penn, jun. | 24. John Barber. | 42. Thomas Dell. |
| 7. William Crispin. | 25. Charles Marshall. | 43. George Andrews. |
| 8. Joseph Martin. | 26. Charles Lloyd. | 44. Thomas Bracey. |
| 9. William Isaak. | 27. William Jenkins. | 45. George Powell. |
| 10. William Bacon. | 28. Nathaniel Allen. | 46. Joseph Powell. |
| 11. Thomas Callowhill. | 29. Thomas Elwood. | 47. Ralph Withers. |
| 12. William Shardloe. | 30. Edward Martindale. | 48. Society. |
| 13. George Fox. | 31. John Allsop. | 49. Society. |
| 14. Thomas Holmes. | 32. John Willard. | 50. William Penn, P. |
| 15. Thomas Fernburg. | 33. George Whitehead. | 51. William Bingley. |
| 16. Thomas Powell. | 34. Richard Amor. | 52. James Claypoole. |
| 17. John Ap John. | 35. Benjamin East. | 53. John Boay. |
| 18. Sarah Fuller. | 36. Philip Ford. | 54. Sir William Petty. |

"These lots were drawn before us, this 19th of 7th month, 1682.—William Markham, Thomas Holme, William Haig, Griffith Jones.

"BACK STREET LOTS :

| | | |
|----------------------|------------------------|------------------------|
| 1. George White. | 19. William Jenkins. | 37. George Evans. |
| 2. William Bingley. | 20. George Andrews. | 38. James Claypoole. |
| 3. William Markham. | 21. Thomas Callowhill. | 39. William Shardloe. |
| 4. Richard Marsh. | 22. Ralph Withers. | 40. Nicholas Moore. |
| 5. Thomas Rowland. | 23. Samuel Claradge. | 41. Thomas Farnburg. |
| 6. Solomon Richards. | 24. John Simcock. | 42. John Barber. |
| 7. Robert Dimsdale. | 25. William Crispin. | 43. Thomas Holme. |
| 8. Robert Turner. | 26. Edward Jefferson. | 44. William Bowman. |
| 9. Thomas Ellwood. | 27. Benjamin East. | 45. William Penn, jun. |
| 10. John Ap John. | 28. William Penn, P. | 46. John Alsop. |
| 11. Thomas Dell. | 29. William Isaak. | 47. Philip Forde. |
| 12. Nathaniel Allen. | 30. George Fox. | 48. John Boay. |
| 13. Charles Lloyd. | 31. John Willard. | 49. Thomas Powell. |
| 14. William Bacon. | 32. George Whitehead. | 50. Sir William Petty. |
| 15. Joseph Powell. | 33. Charles Marshall. | 51. Sarah Fuller. |
| 16. Society. | 34. Lawrence Growden. | 52. William Lanther. |
| 17. Society. | 35. George Powell. | 53. Joseph Martin. |
| 18. Richard Amor. | 36. Thomas Bracey. | 54. Edward Martindale. |

"These lots were drawn before us, this 19th of 7th month, 1682.—William Markham, Thomas Holme, Griffith Jones.

"I do hereby certify, that I have carefully compared the foregoing with an original paper found in the office of the Secretary of the Land-Office, and now remaining in the Surveyor-General's Office, on which there is the following endorsements, 'Original lots in Philadelphia;' 'Lots of the four streets;' 'No. Twenty-one, John Hughes;' 'No. Twenty-one, Richard Peters.' In testimony whereof, I have hereunto set my hand, and affixed the seal of the Surveyor-General's Office, the 27th day of December, A. D. 1845. For John Laporte, Surveyor-General.

"R. M. CRAIN."

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- 627 By the above name he is generally called on the records. Also, Laer Carols; Carolus, or Carolus; by all which is probably intended the same person. (See Carolus.) His real name was Laurence Charles Lokenius.
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